

## SENATE.

TUESDAY, *March 19, 1912.*

The Senate met at 12 o'clock m.

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. GALLINGER and by unanimous consent, the further reading was dispensed with and the Journal was approved.

## EXTENSION OF CAPITOL BUILDING.

The VICE PRESIDENT appointed the Senator from New York, Mr. ROOR, and the Senator from Virginia, Mr. MARTIN, to fill the vacancies in the Senate membership of the Joint Commission for the Extension and Completion of the Capitol Building provided under the act of April 28, 1904, occasioned by the death of the late Senator from Michigan, Mr. Alger, and the late Senator from Maryland, Mr. Gorman.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 9845. An act to authorize the sale of burnt timber on the public lands, and for other purposes;

H. R. 16680. An act to authorize the board of county commissioners of Baxter County and the board of county commissioners of Marion County, in the State of Arkansas, acting together for the two counties as bridge commissioners to construct a bridge across White River at or near the town of Cotter, Ark.;

H. R. 17242. An act to authorize the Northern Pacific Railway Co. to cross the Government right of way along and adjacent to the canal connecting the waters of Puget Sound with Lake Washington and Seattle, in the State of Washington;

H. R. 17837. An act to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes"; and

H. R. 18155. An act authorizing the town of Grand Rapids to construct a bridge across the Mississippi River in Itasca County, State of Minnesota.

## PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of the Men's Bible Class of the Presbyterian Church of Greenville, Pa.; of the Men's Bible Class of the First Methodist Episcopal Church of Greenville, Pa.; of the congregations of the Grace Lutheran Church of East Stroudsburg, Pa.; the United Presbyterian Church of Greenville, Pa.; the Methodist Episcopal, the First Baptist, the United Presbyterian, the Christian, the First Presbyterian, the United Brethren, and the All Saints' Episcopal Churches, of Loveland, in the State of Colorado, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which were referred to the Committee on the Judiciary.

He also presented a resolution adopted by the Chamber of Commerce of Russian River, Cal., favoring an appropriation for the improvement of the Yosemite National Park, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a memorial of the Woman's Christian Temperance Union of Fort Collins, Colo., remonstrating against the repeal of the anticanteen law, which was referred to the Committee on Military Affairs.

He also presented petitions of Bakers' Union No. 168 and Carpenters and Joiners' Union No. 1801, of San German, and of Tobacco Strippers' Union No. 12502, of Juncos, all of the Territory of Porto Rico, praying that the citizens of Porto Rico be permitted to become citizens of the United States, which were referred to the Committee on Pacific Islands and Porto Rico.

He also presented a petition of Bloomsburg Grange, No. 322, Patrons of Husbandry, of Bloomsburg, Pa., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented memorials of sundry citizens of Brown City, Mount Clemens, and Detroit, all in the State of Michigan, remonstrating against the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Roselawn, Wolverine, Hart, Sault Ste. Marie, Boyne City, Sterling, Jackson, Fremont, Stockbridge, Allegan, North Branch, Davison, Reeman, and Marshall, all in the State of Michigan, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

Mr. CRAWFORD presented petitions of sundry citizens of Elkton, Colman, and Clark County, all in the State of South Dakota, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Fort Pierre, S. Dak., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Aurora and Brookings, in the State of South Dakota, remonstrating against the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented petitions of sundry citizens of Milford, Pittsfield, Rochester, and East Rindge, all in the State of New Hampshire, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

Mr. JOHNSTON of Alabama presented a petition of members of Withers and Buchanan Survivors' Camp, United Confederate Veterans, of Mobile, Ala., praying that an appropriation be made providing for the settlement of the so-called cotton-tax claims, which was referred to the Committee on Claims.

Mr. CULLOM presented a memorial of sundry citizens of Berwyn, Ill., remonstrating against the repeal of the anticanteen law, which was referred to the Committee on Military Affairs.

He also presented a petition of Local Union No. 192, Farmers' Educational and Cooperative Union of America, of Ullin, Ill., praying for the establishment of a bureau of markets in the Department of Agriculture, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of Royal Douglas Post, No. 179, Department of Illinois, Grand Army of the Republic, of Prairie City, Ill., remonstrating against the incorporation of the Grand Army of the Republic, which was referred to the Committee on the District of Columbia.

He also presented resolutions adopted by the Illinois Coal Operators' Association, in convention at Chicago, Ill., favoring the appointment of a Federal commission on industrial relations, which were referred to the Committee on Education and Labor.

He also presented a petition of members of the Live Stock Exchange of Chicago, Ill., praying for the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented memorials of sundry citizens of Highland and Ottawa, in the State of Illinois, remonstrating against the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Enfield, Cobden, and Elizabethtown, all in the State of Illinois, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by the board of directors of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation to exempt from toll all American ships engaged in coastwise traffic through the Panama Canal, which were referred to the Committee on Inter-oceanic Canals.

He also presented a petition of Claude L. Herbert Camp, No. 38, Department of Indiana, United Spanish War Veterans, of Terre Haute, Ind., praying that a pension be granted Lucy M. Greer, which was referred to the Committee on Pensions.

Mr. OVERMAN presented a petition of sundry citizens of Henderson, N. C., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

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

He also presented a petition of the Chamber of Commerce of Wilmington, N. C., praying for the appointment of an international commission to consider the question of the high cost of living, which was referred to the Committee on the Judiciary.

Mr. SMITH of South Carolina presented memorials of sundry citizens of Walterboro, S. C., remonstrating against the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

Mr. BRISTOW presented a memorial of sundry citizens of Belpre, Kans., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Abilene, Clay Center, and Garden City, all in the State of Kansas, praying for the enactment of legislation to provide for a sound banking system, etc., which were referred to the Committee on Finance.

He also presented memorials of sundry citizens of Kingman and Cunningham, in the State of Kansas, remonstrating against the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Hope, Kimball, Durham, Beverly, Burlington, and Westphalia, all in the State of Kansas, remonstrating against the enactment of legislation to provide for the coloring of oleomargarine in imitation of butter, which were referred to the Committee on Agriculture and Forestry.

Mr. BOURNE presented petitions of the congregations of the First Methodist Church and the Christian Church of Silverton, of the Woman's Christian Temperance Unions of Marion and Silverton, and of sundry citizens of Marion and Silverton, all in the State of Oregon, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. MARTIN of Virginia presented a petition of sundry citizens of Lynchburg, Va., praying for a reduction of the duty on raw and refined sugars, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Lincoln, Purcellville, and Leesburg, all in the State of Virginia, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. BURNHAM presented a petition of members of the Anti-Saloon League of Concord, N. H., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented a memorial of Local Grange, Patrons of Husbandry, of Plymouth, N. H., remonstrating against the enactment of legislation to provide for the coloring of oleomargarine in imitation of butter, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Castile, N. Y., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. McLEAN presented a petition of the Central Labor Union of Danbury, Conn., praying for the passage of the so-called anti-injunction bill, which was referred to the Committee on the Judiciary.

He also presented a memorial of the congregation of the Methodist Episcopal Church of Southington, Conn., remonstrating against the proposed restoration of the canteen in the Army, which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Hartford, Conn., praying that an appropriation be made for the enforcement of the so-called white-slave law, which was referred to the Committee on Appropriations.

He also presented petitions of sundry granges, Patrons of Husbandry, of Meriden, Berlin, Torrington, and Ellington, all in the State of Connecticut, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

Mr. PENROSE presented a petition of the board of directors of the Bourse of Philadelphia, Pa., praying that an appropriation be made for the continuance of the Tariff Board, which was referred to the Committee on Appropriations.

He also presented a petition of the board of directors of the Bourse of Philadelphia, Pa., praying for the enactment of legislation to provide for the retirement of employees in the civil service, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of members of the Universal Peace Union, praying for a reconsideration of the ratification of the treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

He also presented petitions of the congregation of the First Baptist Church and the First Presbyterian Church of Hazleton, and of the Woman's Christian Temperance Unions of East Sayre, Grove Summit, and Fleetville, all in the State of Pennsylvania, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. CURTIS presented a memorial of sundry citizens of Hillsboro, Kans., remonstrating against the extension of the

parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of James B. McPherson Post, No. 87, Department of Kansas, Grand Army of the Republic, of McPherson, Kans., remonstrating against the incorporation of the Grand Army of the Republic, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Young Woman's Christian Association of Topeka, Kans., praying that an appropriation of \$50,000 be made providing for an investigation into the subject of the white-slave traffic, which was referred to the Committee on Appropriations.

He also presented petitions of the congregations of the United Presbyterian and Methodist Churches of Walton, and of the Presbyterian Church, the Methodist Episcopal Church, and the Church of Christ, of Burrton; of the Woman's Christian Temperance Union; and of sundry citizens of Prairie Center, all in the State of Kansas, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

#### TOBACCO STATISTICS.

Mr. McLEAN, from the Committee on the Census, to which was referred the bill (H. R. 13988) to authorize the Director of the Census to collect and publish additional statistics of tobacco, reported it with amendments and submitted a report (No. 491) thereon.

#### MEMORIAL SERVICE FOR THE DEAD OF THE "MAINE."

Mr. PERKINS. I report from the Committee on Naval Affairs a resolution for which I ask present consideration.

The resolution (S. Res. 253) was read, considered by unanimous consent, and agreed to, as follows:

Whereas the President of the United States has notified the Vice President and the Members of the Senate, and the notification was referred to the Committee on Naval Affairs, that services will be held in memory of the men of the Navy who lost their lives in the destruction of the old battleship *Maine*; and

Whereas it is at all times fitting that bravery and devotion to duty should be recognized and acknowledged; and

Whereas the disaster which overtook the *Maine* afforded evidence of the courage and steadfastness of the officers and enlisted men as conclusive as battle would have done; and

Whereas the men of the *Maine* who lost their lives as truly in defense of their country as though in naval action exhibited that exalted patriotism and noble heroism which have always characterized the American Navy:

Resolved, That as a testimonial of appreciation of the devotion to their country of the brave men who are to be laid to rest with deserved military honors, the Senate do, on Saturday, the 23d instant, adjourn and take part in the memorial service announced by the President.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED.

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

Mr. TOWNSEND. Mr. President, realizing as I do that the industrial condition with reference to the coal situation, involving the relation between employer and employee, is a most critical one, believing as I do, also, that it frequently requires but publicity of conditions and the real facts to settle those controversies, I introduce a bill which I desire to have referred to the Committee on Interstate Commerce.

The bill (S. 5901) to provide for the investigation of controversies affecting interstate commerce, and for other purposes, was read twice by its title and referred to the Committee on Interstate Commerce.

By Mr. DU PONT:

(By request.) A bill (S. 5902) for the relief of Alexander Mackenzie and Henry L. Abbot, both on the retired list of the United States Army; to the Committee on Claims.

A bill (S. 5903) granting an increase of pension to Thomas C. Kinsey; to the Committee on Pensions.

By Mr. BROWN:

A bill (S. 5904) for the relief of the Victor White Coal Co.; to the Committee on Claims.

By Mr. MARTINE of New Jersey:

A bill (S. 5905) for the relief of Charles Letts & Co.; to the Committee on Claims.

By Mr. WATSON:

A bill (S. 5906) to provide for the erection of a public building at Keyser, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. OVERMAN:

A bill (S. 5907) for the relief of the heirs of Mary Everitt, deceased; to the Committee on Claims.

By Mr. KENYON:

A bill (S. 5908) to restore George W. Mathews to the Regular Army and to retire him with the rank and pay of captain; to the Committee on Military Affairs.

By Mr. CLARK of Wyoming:

A bill (S. 5909) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and to repeal an act entitled "An act providing for writs of error in certain instances in criminal cases," approved March 2, 1907; to the Committee on the Judiciary.

By Mr. BOURNE:

A bill (S. 5910) granting to the city of Portland, Oreg., certain strips of land from the post-office and customhouse sites in said city for street purposes; to the Committee on Public Buildings and Grounds.

By Mr. BRADLEY:

A bill (S. 5911) granting a pension to Amanda Woodcock; to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 5912) granting a pension to James J. Boothe; and a bill (S. 5913) to restore to the pension roll the name of Jordan T. Fletcher (with accompanying paper); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 5914) for the relief of Ira MacNutt (with accompanying paper); to the Committee on Claims.

A bill (S. 5915) granting a pension to Matthew F. Whitcomb (with accompanying paper); to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 5916) granting an increase of pension to Laura B. Stiles; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 5917) relating to procedure in United States courts; to the Committee on the Judiciary.

By Mr. MARTINE of New Jersey:

A joint resolution (S. J. Res. 92) providing for the purchase of the home of Thomas Jefferson, at Monticello, Va.; to the Committee on the Library.

MANUEL AGÜERO Y JUNQUÉ.

Mr. DU PONT. I introduce a joint resolution for which I ask present consideration.

The joint resolution (S. J. Res. 91) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Mr. Manuel Agüero y Junqué, of Cuba, was read twice by its title.

Mr. DU PONT. I ask that the accompanying letter from the Secretary of State be read.

The VICE PRESIDENT. The Senator from Delaware asks for the present consideration of the joint resolution. The Secretary will read the communication from the Secretary of State.

The Secretary read as follows:

DEPARTMENT OF STATE,  
Washington, March 14, 1912.

The Hon. HENRY ALGERNON DU PONT,  
Chairman of the Committee on Military Affairs,  
United States Senate.

SIR: In compliance with a request of the Government of Cuba, made through its Minister at Washington, and with the assent of the Secretary of War, I have the honor to inclose herewith for consideration by your committee a resolution authorizing the Secretary of War to permit Mr. Manuel Agüero y Junqué, of Habana, Cuba, to receive instruction at the United States Military Academy at West Point, at the expense of the Government of Cuba.

The granting of the request would be an act of courtesy without expense to this Government and in accordance with established precedents.

A similar letter has been addressed to the chairman of the Committee on Military Affairs of the House of Representatives.

I have the honor to be, sir,

Your obedient servant,

HUNTINGTON WILSON,  
Acting Secretary of State.

The VICE PRESIDENT. The Senator from Delaware asks unanimous consent for the present consideration of the joint resolution.

Mr. WARREN. I ask my colleague on the committee if he will let the joint resolution go to the Committee on Military Affairs. We want to take up the appropriation bill this morning.

Mr. DU PONT. I have no objection to that course.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Military Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES submitted an amendment proposing to appropriate \$130,000 for the improvement of Apoon Mouth of the Yukon River, Alaska, etc., intended to be proposed by him to the river and harbor appropriation bill (H. R. 21477), which was referred to the Committee on Commerce and ordered to be printed.

Mr. MARTIN of Virginia submitted an amendment proposing to appropriate \$12,000 for the grading and macadamizing of Longfellow Street NW. from Fifth Street to Blair Road, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 17681), which was referred to the Committee on Appropriations and ordered to be printed.

#### HEARINGS BEFORE THE COMMITTEE ON FOREST RESERVATIONS.

Mr. McLEAN submitted the following resolution (S. Res. 254), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Forest Reservations and the Protection of Game, or any subcommittee thereof, be authorized to send for persons and papers and to administer oaths, and to employ from time to time stenographers to report such hearings as may be had in connection with any subject which may be pending before said committee, and to have the same printed for its use, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee or any subcommittee thereof may sit during the sessions of the Senate.

#### HEARINGS BEFORE THE COMMITTEE ON PUBLIC LANDS.

Mr. SMOOT submitted the following resolution (S. Res. 255), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Public Lands, or any subcommittee thereof, be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee, and to have printed such hearings and such other papers as may be deemed necessary in connection with subjects heretofore considered or to be considered by said committee during the Sixty-second Congress, and that the expense thereof be paid out of the contingent fund of the Senate, and that the said committee and all subcommittees thereof may sit during the sessions of the Senate.

#### ADDRESS, ETC., OF ABRAHAM LINCOLN (S. DOC. NO. 439).

Mr. CLARK of Wyoming. I send to the desk a pamphlet which includes the first and second inaugural addresses of Abraham Lincoln, his message of July 5, 1861, his emancipation proclamation of January 1, 1863, and his Gettysburg address of November 19, 1863. I ask that the same may be printed as a Senate document.

The VICE PRESIDENT. Without objection, an order therefor will be entered.

#### PROPOSED ANTI-INJUNCTION BILL (S. DOC. NO. 440).

Mr. MARTINE of New Jersey. I present certain extracts from the report of Samuel Gompers, president, to the thirty-first annual convention of the American Federation of Labor, held at Atlanta, Ga., November 12-27, 1911, on the subject of the Wilson anti-injunction bill and labor's reasons for its enactment into law. I move that the matter be printed as a Senate document.

The motion was agreed to.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GALLINGER. I ask unanimous consent for the present consideration of House bill 17681, the District of Columbia appropriation bill.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. GALLINGER. I yield to the Senator from South Dakota [Mr. CRAWFORD] for a little matter.

ALICE V. HOUGHTON.

Mr. CRAWFORD. Mr. President, during my absence on Saturday last, when I was necessarily absent in connection with the work of my committee, the bill (S. 5137) for the relief of Alice V. Houghton, which the Committee on Claims unanimously directed me to present to the Senate and to report favorably, was reached on the calendar under Rule VIII and it was placed under Rule IX. I do not quite understand how it came to be done in my absence. Of course it was not intentional, but it was hardly courteous either to me or to the committee which directed me to report the bill to transfer it to Rule IX, which is generally considered as a graveyard for legislation not otherwise disposed of.

It is a bill, whether Senators differ about it or not, in which some of us are much interested, and I ask unanimous consent, because I think it was done inadvertently, without knowing my wish, that the bill be restored to the calendar under Rule VIII.

The VICE PRESIDENT. Is there objection to the request of the Senator from South Dakota to restore the bill to the calendar under Rule VIII?

Mr. SMOOT. Mr. President, I wish to say to the Senator that there was no intention on my part in asking that it be transferred from Rule VIII to Rule IX to cast any reflection upon him or the committee.

Mr. CRAWFORD. I understand that. However, it was done. Mr. SMOOT. If the Senator has read the RECORD he will have noticed the reason I gave for so doing. But I have not the least objection to having the bill transferred to Rule VIII.

Mr. CRAWFORD. I ask that it be placed under Rule VIII.

The VICE PRESIDENT. Without objection, an order therefor is entered.

## PUBLIC BUILDING AT GREELEY, COLO.

Mr. GUGGENHEIM. I ask unanimous consent—

Mr. GALLINGER. I yield to the Senator from Colorado, provided the bill he wishes to call up does not lead to any debate.

Mr. GUGGENHEIM. I think it will take only a few minutes. I ask unanimous consent for the present consideration of the bill (S. 4144) to increase the limit of cost of the United States post-office building at Greeley, Colo. It is a very short bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 6, before the word "hundred," to strike out "two" and insert "one," so as to make the bill read:

*Be it enacted, etc.,* That the limit of cost of the United States post-office building at Greeley, Colo., be, and the same hereby is, increased from the sum of \$75,000 to the sum of \$100,000, said increase to be employed in the enlargement and betterment of the building.

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.

## ASSIGNMENT OF DESERT-LAND ENTRIES.

Mr. JONES rose.

Mr. GALLINGER. I will yield to the Senator from Washington, and then I will ask the Senate to proceed with the appropriation bill.

Mr. JONES. I ask unanimous consent for the present consideration of the bill (S. 5446) relating to partial assignments of desert-land entries within the reclamation projects made since March 28, 1908. It is a short measure and it is rather important to have early action.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Public Lands with an amendment, to strike out all after the enacting clause and insert:

That a desert-land entry within the exterior limits of a Government reclamation project may be assigned in whole or in part under the act of March 28, 1808 (35 Stat. L., 52), and the benefits and limitations of the act of June 27, 1906 (34 Stat. L., 520), shall apply to such desert-land entryman and his assignees: *Provided*, That all such assignments shall conform to and be in accordance with farm units to be established by the Secretary of the Interior upon the application of the desert-land entryman. All such assignments heretofore made in good faith may be recognized under this act.

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.

## RETIREMENT OF EMPLOYEES IN CIVIL SERVICE.

Mr. CUMMINS. Mr. President—

The VICE PRESIDENT. Will the Senator from New Hampshire yield to the Senator from Iowa?

Mr. GALLINGER. I will yield to the Senator from Iowa if the matter does not involve any debate.

Mr. CUMMINS. I wish to have a correction made in a bill which was printed a few days ago.

Mr. GALLINGER. Certainly; I yield for that purpose.

Mr. CUMMINS. On the 15th day of the present month I introduced a bill (S. 5863) for the retirement of employees in the civil service, and for other purposes. In the seventh line of the third page the printer has made a mistake, printing "\$1,600 per year" instead of "\$600 per year," as the copy at least was intended to read. I desire to have that correction made.

The VICE PRESIDENT. The correction will be made.

Mr. CUMMINS. Substituting \$600 for \$1,600, and I ask that the bill be reprinted as corrected.

The VICE PRESIDENT. An order therefor will be entered.

## DISTRICT OF COLUMBIA APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 17681) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1913, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

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

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. GALLINGER. Mr. President, before the reading commences, I want in a single word to make a statement.

The increase recommended by the committee over the bill as it passed the House, which may seem large to some Senators, is to a considerable extent made up of increases due to the necessary construction of two large school buildings in the District. The amount of the increase is \$1,762,056. The Commissioners of the District of Columbia in submitting their estimate made a very large cut in the estimates that were submitted to them by the heads of the various departments. The bill as reported to the Senate is \$886,706 less than the revised estimates made by the commissioners.

The bill as reported to the Senate is under the estimated revenues for 1913, on the half and half basis, of \$503,504, and it exceeds the law for 1912 only \$6,728, notwithstanding the fact that the District is growing rapidly and increased expenditures are necessary, and the further fact, as I have stated already, that the increases to a very considerable extent are made up in view of the necessity for additional school buildings in the District.

Now, Mr. President, the reading may commence.

Mr. BROWN. Mr. President, before the reading proceeds, I should like to inquire of the Senator from New Hampshire about how much of this bill is legislation?

Mr. GALLINGER. The Senator will discover it as we go along. There is some legislation in the bill as it came from the other House, and there has been some legislation reported by the Senate committee, as there always is in such bills.

Mr. BROWN. The bill is a very heavy one; I have not been able to go through with it, and I wanted to get a general idea, if I could, from the Senator about how much legislation that is new is in the bill.

Mr. GALLINGER. There is comparatively little, and yet there is some, I will say to the Senator. That will develop as we go along.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "General expenses," on page 2, line 3, before the word "thousand," to strike out "five," and insert "six," so as to read:

Executive office: Two commissioners, at \$6,000 each.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. WORKS. Mr. President, I object to that particular amendment on the ground that it is new and general legislation on an appropriation bill. I raise that question by a point of order.

Mr. GALLINGER. I think the point of order will not lie. The item is estimated for, and under the rule it is in order.

Mr. WORKS. I understand, Mr. President, that an appropriation bill—

Mr. SMITH of Georgia. Mr. President, we can not hear over on this side of the Chamber just what has occurred.

Mr. WORKS. I am making the point of order with respect to the amendment increasing the salaries of the Commissioners of the District of Columbia, that it is general legislation, and that the increase of salaries ought not to be carried into an appropriation bill. Therefore, I am objecting to this proposed amendment. I am not ready to say that the increase is not proper or that that amount ought not to be allowed as salaries to the commissioners, but my own judgment is that upon principle salaries ought not to be increased in an appropriation bill. Therefore I object to the amendment on that ground, and I insist upon my point of order as well taken.

The VICE PRESIDENT. If the statement of the chairman of the Committee on the District of Columbia [Mr. GALLINGER] is correct, that the increase is made in pursuance of an estimate, the point of order does not lie.

Mr. GALLINGER. It is, Mr. President.

Mr. WORKS. That may be so. I was not aware of that fact.

Mr. CULBERSON. Mr. President, I respectfully submit that the point of order made by the Senator from California [Mr. WORKS] is well taken, because the amendment is general legislation. It does not take it out of the rule for the item to be estimated for by proper authority.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. The Chair does not think that the point made by the Senator from Texas is well taken.

Mr. GALLINGER. It is not general legislation at all. The commissioners are in every bill granted a salary and an estimate has come to the committee asking for an increase of the salary. In accordance with that estimate, which is in strict conformity with the rule of the Senate, this increase is sub-

mitted to the Senate. Whether it is wise or not, of course, is for the Senate to determine.

Mr. CULBERSON. Mr. President, I should like to ask the Senator from New Hampshire if the salary of the commissioners is not fixed by law?

Mr. GALLINGER. It is fixed by the appropriation bill each year.

Mr. CULBERSON. Is it not fixed by law?

Mr. GALLINGER. It is fixed by law just as every other salary is fixed by law; but, of course, it can be changed. It is not to be supposed that this—

Mr. CULBERSON. The point I make, Mr. President, is that the salary is fixed by general law, and that general law is changed when the appropriation is made \$6,000 instead of \$5,000. It is not taken out of the rule even if estimated for by the commissioners, whose salary they seek to have increased.

The VICE PRESIDENT. The Chair thinks that if it were general legislation the Senator's contention would be correct; but the Chair thinks it is not general legislation to change the amount of a salary for a fiscal year. It does not change the law, but it changes the salary for this fiscal year; and on that ground the Chair overrules the point of order.

Mr. POMERENE. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Ohio?

Mr. WORKS. I yield.

Mr. POMERENE. Mr. President, as I have understood it, the general statute provides for a salary of \$5,000 per annum for the Commissioners of the District of Columbia. This bill appropriates \$6,000 a year for the salary. Does not that, by an indirect method, operate as a repeal of the first provision? If I be not correct in that, assuming this bill should be passed, would each of the commissioners then be entitled to draw the \$6,000 a year instead of \$5,000 as heretofore?

Mr. GALLINGER. They would for the next fiscal year; that is all. It is not a permanent change.

Mr. POMERENE. Then, Mr. President, am I to understand that by this appropriation bill the general statute on the subject would be suspended for a year?

Mr. GALLINGER. It would be suspended precisely as the statute was suspended when the Senators' salary was increased. The salary of the commissioners of \$5,000 was fixed in a statute to conform with the salary of Members of the two Houses of Congress, and the same amount was named. We have managed to get our salaries increased \$2,500 a year, and I should very much like to see the salary of the commissioners increased \$1,000. The proposition to increase it in this bill is absolutely in conformity with the rule.

Mr. POMERENE. Mr. President, my salary, so far as I know, has been the same ever since I have been here.

Mr. GALLINGER. The Senator was fortunate in coming in late.

Mr. WORKS. Mr. President, of course I yield gracefully to the ruling of the Chair upon this question, but it seems to me to be singular that as to this appropriation, which does in fact increase the salary of a public official; the rule should be changed by the mere fact of an estimate having been made for that purpose. I can very well understand that if this is simply an appropriation for one year covering the salary the Chair is correct in the ruling that he has made.

The VICE PRESIDENT. That is all.

Mr. WORKS. But the effect of it undoubtedly is to increase the salary of these public officials permanently, whatever may be the technical effect of it by which the Chair's ruling is justified; but I still object to the amendment.

Mr. BACON. Mr. President, I do not wish to trespass upon the time after the Chair has ruled, but I think this is possibly an important matter, and it is with very great hesitation I am compelled to differ from the ruling of the Chair.

The purpose of the rule is that there shall not be engrafted upon an appropriation bill matter which, taken by itself, might not be passed by Congress, but by being put upon an appropriation bill its passage is in that way in a measure assured. If it were true that the salary of the commissioners was fixed each year by the appropriation bill, the ruling of the Chair would undoubtedly be correct, because in that case it would not be general legislation which is varied, but it would be the making of a law in opposition to which there was no conflicting law; in other words, it would be a necessity that it should be put in the appropriation bill just like all other provisions of appropriation bills are necessary, and in their absence there is no provision made for the payment of the money. In this case the language of the rule is that:

No amendment which proposes general legislation shall be received.

The question is, What is "general legislation"? I think, Mr. President, that anything which varies the general law is general legislation, whether it does so temporarily or permanently. That is the ground upon which I base my conclusion. We have a general law which fixes the salary of the commissioners at \$5,000 a year. This amendment proposes that for a year that general law shall be varied—

Mr. SMITH of Georgia. And set aside.

Mr. BACON. And set aside. It seems to me, then, that the conclusion is irresistible that anything which varies the general law is necessarily general legislation. The language is broad, it is true, but a correct interpretation of it, I think, is along the line which I have suggested.

I presume it will be conceded that if there were an item in the bill providing generally that the salary of the commissioners hereafter shall be \$5,000, there would be no question of the fact that it would be in contravention of the rule. If I correctly understand the effect of the rule, it is none the less a piece of general legislation if a term is fixed during which the general law is to be varied than it would be if the change were made for all time. Suppose we should say that for the next five years the salary of the commissioners should be \$6,000 instead of \$5,000, as the general law now provides; that would certainly be general legislation; and to say that it shall be \$6,000 for one year is, in my opinion, none the less a variation.

I beg pardon of the Chair for the liberty of suggesting that view, but for myself I am very clear in my own mind.

Mr. GALLINGER. Mr. President, I desire to read—

Mr. BACON. If the Senator will pardon me a moment, just in further illustration of what I have said, as suggested to me by my colleague [Mr. SMITH of Georgia], the general law fixes the salary of the commissioners for the next fiscal year, and this amendment varies the general law in that particular, and says it shall not for that year be the law.

Mr. GALLINGER. The provision will not become operative until the end of the present fiscal year.

Mr. BACON. The Senator misunderstood me. I know that fact. I say the general law fixes the salary for the next fiscal year. The law now upon the statute books determines what shall be the salary of the commissioners for the fiscal year beginning June 30, and this amendment proposes to change that general law. I will say that, while the general law prescribes that the salary shall be \$5,000 for the fiscal year beginning July 1, 1912, and ending June 30, 1913, by the operation of this amendment for that period the salary shall not be what the general law provides, but shall be \$1,000 in addition thereto.

Mr. GALLINGER. Mr. President, the committee plants itself upon the clause in Rule XVI, which provides:

And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law or treaty stipulation or act or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments.

When this bill came to the committee it contained a provision for the salaries of the Commissioners of the District of Columbia. An estimate came in advising an increase in those salaries, and under the provisions of Rule XVI the proposed increase has been recommended.

Mr. BACON. What is the number of the rule from which the Senator reads?

Mr. GALLINGER. Rule XVI.

Mr. BACON. Well, Mr. President, that does not in any manner conflict with the third paragraph of Rule XVI, which is the one which has been invoked, and which is undoubtedly the law of the Senate. I quote from that paragraph of Rule XVI:

No amendment which proposes general legislation shall be received to any general appropriation bill.

That is complete in itself. What follows has no connection with it; that is:

Nor shall any amendment not germane, etc.

This rule goes on to specify, but the general proposition is contained in the line and a half I have read.

Mr. GALLINGER. The Senator is reading from the third clause. I read from the latter portion of the first clause of Rule XVI.

Mr. BACON. I understand that; but, Mr. President, that is altogether a different matter.

Mr. GALLINGER. It is; yes. That is what I am contending. Mr. SMITH of Georgia. Mr. President, if the Senator will allow me, the clause which the Senator from New Hampshire read is an additional limitation. It in no way conflicts with what my colleague was reading; but, as I have said, is an additional limitation.

Mr. BACON. The first clause is intended to meet an altogether different case:

All general appropriations shall be referred, \* \* \* and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill.

That, Mr. President, has no reference whatever to the question of salary. If the Senator's contention is true, we could ingraft upon an appropriation bill an extensive amendment which would affect the salary of every officer and every employee of the Government. If we can do that in one case, we can do it in all cases.

Mr. GALLINGER. The Senator does not seriously argue that in a District of Columbia appropriation bill we could increase the salary of every officer of the Government?

Mr. BACON. Why, Mr. President, I do not know of any limitation upon the power of amendment in the Senate except the will of the Senate itself.

Mr. GALLINGER. The limitation is that the item shall be estimated for.

Mr. BACON. But, Mr. President, estimates are not made for salaries. Salaries are fixed by law. You estimate how much the digging out of a river is going to cost, or how much a public building is going to cost, and you estimate for matters of that uncertain nature, because those things can not be fixed by general law, and they are not attempted to be fixed by general law; but the salaries of officers are fixed by general law, and if they are fixed by general law, they are absolutely and specifically within the third clause of the sixteenth rule.

Mr. POMERENE. Mr. President, I desire to call the Senator's attention to what I understand is the organic law of the District of Columbia. I read from page 103 of the United Statutes at Large, volume 20. Section 3 of that statute, among other things, provides:

And said commissioners, appointed from civil life, shall each receive for his services a compensation at the rate of \$5,000 per annum, and shall, before entering upon the duties of the office, each give bond in the sum of \$50,000.

So that it does seem that there is a general statute covering this matter, and, that being so, it would seem to me that this amendment is an attempt to appropriate funds for the ensuing year in violation of the general statute on the subject.

Mr. GALLINGER. Mr. President, I will be content with the ruling of the Chair.

Mr. CLARKE of Arkansas. Mr. President, as suggestions seem to be in order, I will violate a rule of my own when I obtrude at this time a suggestion in connection with this matter. There is one aspect of it that I think makes against the ruling which the Chair has tentatively indicated. It seems that if a Senator on the floor should make a motion or offer an amendment to increase a salary, it would be out of order, whereas if the proposition came from a committee or was estimated for by the head of one of the executive departments it would therefore be within the jurisdiction of the Senate. I think that that reduces it to an absurdity. I do not believe that any executive officer has control over the proceedings of the Senate in greater degree than the Senate itself, and I do not think, in the exercise of the power lodged by the Constitution in the Senate, it should first be required to exercise its jurisdiction through the agency of one of its own committees.

If that amendment would not be in order if offered from the floor, I think it violates the provision of the rule which succeeds it, as a matter of general legislation. I do not believe that it was ever intended by anybody who understood the real meaning of that rule, or that the Senate when it drafted it, undertook to divest itself of the power to propose and enact any legislation that the Constitution permitted it to enact; and I do not believe that it can be fairly drawn out of the meaning of those words that the Senate must first have the permission of a committee or of the head of an executive department before it can proceed to exercise its constitutional power.

Mr. GALLINGER. Mr. President, I will simply make the suggestion to the Senator from Arkansas that if an increase were estimated for it would be entirely in order for a Senator to make the motion from the floor, provided it came within the rule.

Mr. CLARKE of Arkansas. That still does not answer the objection I made, that a Senator does not derive his power to make motions upon this floor from any suggestion of the head of an executive department.

Mr. GALLINGER. Then the Senate will have to change the rule.

Mr. OVERMAN. Mr. President, I desire to ask the Senator from New Hampshire if he is not mistaken about this item being estimated for? I understand that each year estimates are sent by the Secretary of the Treasury in the Book of Estimates of the amount of money required to be appropriated for salaries fixed by law. The estimates sent by the Treasury Department

were for salaries as fixed by law, and a recommendation, not an estimate, comes here for the increase of the salaries of the commissioners. I say it is not an estimate, but a recommendation.

Mr. WORKS. Mr. President, it seems to me that the rule appealed to by the Senator from New Hampshire does not meet this question. That simply relates to an increase in the amount of the appropriation. If, in this instance, we increase the amount, we are appropriating a sum in excess of the amount due to these officers for their salaries by a thousand dollars apiece. In order to make the appropriation available at all we must change the salary, and that is the effect of this provision in the bill, not only to increase the amount, but necessarily to change the law with respect to the salary to be paid.

The VICE PRESIDENT. Rule XVI has various provisions, and Rule XVI is self-imposed by the Senate itself. The Senate can provide that the clerk of the Committee on Appropriations may regulate its appropriations, if it desires so to provide. It has made provision in paragraph 1 and paragraph 3 of Rule XVI in what manner appropriations shall be limited; but paragraphs 1 and 3 are two absolutely separate propositions. Under paragraph 1, had not the appropriation been estimated for—and the Chair is assuming that it was; and if the Chair is in error of course the provision must fall under the provisions of paragraph 1—but the Chair—

Mr. OVERMAN. That was the question I wanted to ask—whether this item was estimated for?

Mr. GALLINGER. Mr. President, the Senator from North Carolina is laboring under a mistake. These estimates came in the first place from the Secretary of the Treasury, and through that official the board of commissioners recommended the increase as found in the estimates.

Mr. OVERMAN. Now, let me say to the Senator, there is only a recommendation for an increase. It can not be an estimate because the estimate is for the amount of money required by statute to pay the salary. That is all the Secretary of the Treasury can estimate for.

The Secretary of the Treasury at each session of Congress sends down a book containing the estimates of the amount of money required to be appropriated for each salary. With the estimate for the salaries of the Commissioners of the District of Columbia comes a recommendation. The Secretary of the Treasury, as I understand, estimates for the salary as fixed by law, but coupled with that estimate is a recommendation that the salaries of the commissioners be increased. It is really not an estimate, but a recommendation. Am I not right? I will ask the Senator from New Hampshire.

Mr. GALLINGER. I think the Senator is not right. It is an estimate in due course, just as estimates for increases in salaries of 200 officials of the District government were made, some of which we have allowed and some of which we have not.

Mr. OVERMAN. So that the Commissioners of the District of Columbia sent down the recommendation, but the Secretary of the Treasury has not estimated for it?

Mr. GALLINGER. The recommendation of the District of Columbia Commissioners goes to the Secretary of the Treasury and through the Secretary of the Treasury is transmitted to Congress.

Mr. OVERMAN. The Secretary of the Treasury always sends the estimates?

Mr. GALLINGER. He does.

Mr. OVERMAN. And he could not have estimated for this increase, because it is not provided for by law.

The VICE PRESIDENT. The Chair was about to distinguish between paragraphs 1 and 3 of Rule XVI, and the Chair had concluded what he had to say about paragraph 1, that, assuming the statement to be correct that an estimate has been made for this appropriation, then paragraph 1 does not prohibit the proposed action.

Next comes the question of paragraph 3, whether or not the proposed amendment is general legislation. The Chair knows that it has been customary in both Houses of Congress to both increase and decrease salaries on appropriation bills, and the Chair thinks that the provision here is not general legislation. Of course, it would be general legislation were it in the words suggested by the Senator from Georgia [Mr. BACON] "that hereafter," and so forth. That would make it general legislation, but in the form in which it is presented, being an appropriation for the one fiscal year, it seems to the Chair the amendment is in the nature of a limitation upon the appropriation for that fiscal year, and does not become general legislation. That is the reason that was in the Chair's mind and which impelled him to hold the point of order not well taken. The question is on agreeing to the amendment.

Mr. WORKS. Mr. President, in order that the sense of the Senate may be taken as to the propriety of this mode of in-

creasing salaries, independently of the rule that has been referred to, I call for the yeas and nays on the amendment.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on agreeing to the amendment. [Putting the question.] By the sound the ayes seem to have it.

Mr. CLARKE of Arkansas. I ask for a division.

The question being put, there were on a division—ayes 17, noes 11.

The VICE PRESIDENT. The ayes have it.

Mr. BACON. I raise the point that no quorum has voted, Mr. President.

The VICE PRESIDENT. The Senator from Georgia makes the point that no quorum has voted, and apparently there is no quorum present. The Secretary will call the roll.

Mr. BACON. I did not put it on that ground, Mr. President.

The VICE PRESIDENT. The Chair understands. He did not mean to misstate the Senator's position. The Secretary will call the roll.

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

Bacon	Curtis	Newlands	Smith, Ga.
Borah	Dillingham	Nixon	Smith, S. C.
Bourne	du Pont	Oliver	Smoot
Brandegee	Fletcher	Overman	Swanson
Bristow	Foster	Page	Thornton
Brown	Gallinger	Penrose	Townsend
Burnham	Guggenheim	Percy	Warren
Chamberlain	Johnston, Ala.	Perkins	Watson
Chilton	Jones	Polindexter	Wetmore
Clark, Wyo.	McLean	Pomerene	Williams
Clarke, Ark.	Martin, Va.	Rayner	Works
Crane	Martine, N. J.	Richardson	
Crawford	Myers	Root	
Cullom	Nelson	Simmons	

Mr. FLETCHER. I desire to state that my colleague [Mr. BRYAN] is necessarily absent, and will be for several days.

Mr. TOWNSEND. I wish to state that the senior Senator from Michigan [Mr. SMITH] is unavoidably out of the city.

The VICE PRESIDENT. Fifty-three Senators have answered to their names. A quorum of the Senate is present.

Mr. GALLINGER. Mr. President, I desire to occupy only a moment more. In the matter of estimates, it is provided that—

All annual estimates for the public service shall be submitted to Congress through the Secretary of the Treasury, and shall be included in the Book of Estimates prepared under his direction.

This item appears in the Book of Estimates as coming from the Secretary of the Treasury. The Commissioners of the District of Columbia had a salary fixed in the year 1879. It was fixed in the same amount as the salary for Members of the two Houses of Congress. No advance has been made in that salary since that time. On an appropriation bill we increased our own salaries, and I believe that was done without an estimate. On an appropriation bill we increased the salary of the Commissioner of the General Land Office, and we have increased several other salaries in the same way, including that of the President of the United States.

But this is absolutely and explicitly in accordance with the rules of the Senate and in accordance with the terms of the law, and I ask for the yeas and nays on the question of agreeing to the amendment.

The VICE PRESIDENT. The yeas and nays have once been refused.

Mr. SMOOT. Yes.

The VICE PRESIDENT. Is there objection to taking the vote by yeas and nays? [After a pause.] The Chair hears none.

Mr. OVERMAN. What I was alluding to is this statement in the Book of Estimates. It says salaries of—

Two commissioners, at \$6,000 each (increase of \$1,000 each submitted).

And then it goes on to say in a note that that is a recommendation on the part of the commissioners, inasmuch as it is hard to get competent men to serve in that office for \$5,000.

So, while the Secretary of the Treasury can not estimate for any more than absolutely is the salary, he does indorse the recommendation of the commissioners and notes that down, in case the Senate should see fit to increase the salary.

Mr. GALLINGER. Mr. President, let the vote be taken.

Mr. WORKS. Mr. President, I said in the beginning that I was not contesting the justice of this increase of salaries. I am not sufficiently informed to know whether the salary should be increased or not. Therefore I am not pressing the objection upon that ground, but on principle I am opposed to the increase of salaries in this way, and therefore I made the point of order.

Mr. BRISTOW. Before the vote is taken, I should like to know whether the commissioners are furnished carriages at public expense.

Mr. GALLINGER. The Commissioners of the District of Columbia have 70 square miles of territory to travel over, and I think they have been allowed some kind of conveyance. They ought to be allowed a conveyance of some kind. They have to inspect every street in the District of Columbia and the sewage system and every other matter relating to the interests of the people of this Capital City. They are allowed transportation in some form or other, as are a great many other officials of the Government.

Mr. BRISTOW. Could the Senator from New Hampshire state about what appropriation is made each year for the maintenance of the carriages of the commissioners?

Mr. GALLINGER. The Senator will find all that in this bill, so far as I know.

Mr. BRISTOW. There are a great many things in the bill. The Senator does not expect us to read it all to find out, and I supposed that the Senator from New Hampshire, chairman of the District of Columbia Committee, had that knowledge without referring us to a bill of over a hundred pages.

Mr. GALLINGER. The items will be reached in due course. I do not think I want to occupy much time in discussing the bill in a general way. I have given and the committee have given a great many serious hours to the consideration of this bill, and we have presented it to the Senate. It has been here a good while, and each Senator could have acquainted himself with all the items if he had seen fit to do so.

Mr. BRISTOW. That is a very general way to avoid answering a question. There are a great many bills before the Senate for its consideration. The committee has, no doubt, given a great deal of time to the consideration of the pending bill, and I thought some member could give the information for which I have asked.

Mr. GALLINGER. I may state that each commissioner has a carriage or an automobile, one or the other, at his disposal. I know that one of the commissioners does not use it, because he happens to be a man of independent means, and he does not require it. But they are given means of transportation.

Mr. CURTIS. May I suggest that they are paid for out of the general appropriation for contingent and miscellaneous expenses? The general appropriation covering all the items is some \$37,000.

I should like to say to my colleague from Kansas that I happen to be on a subcommittee that has a great deal of business with the District Commissioners, and I think in one week we spent five days riding around the streets of the city of Washington examining public buildings, and we could not have done it had not the District furnished to the commissioners the public conveyance in which to go around and look after the interests of the District of Columbia.

If there are any officers in Government employ entitled to conveyances, surely the District Commissioners are.

Mr. BRISTOW. I merely wanted to know. If the Government is providing the commissioners with automobiles or carriages for their convenience, it makes the office more attractive than if such were not provided. I am not saying they are not needed in the discharge of the public duties of the commissioners, but it is certainly an element to be taken into consideration when it is proposed to increase the salaries of the commissioners. I feel I was not indulging in any breach of courtesy in endeavoring to find out what perquisites these officers have in addition to their \$5,000 a year.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The question is on agreeing to the amendment proposed by the committee. The yeas and nays having been ordered, the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FLETCHER (when Mr. BRYAN's name was called). I desire to state that my colleague [Mr. BRYAN] is necessarily absent. He is paired with the senior Senator from Michigan [Mr. SMITH]. I will let this announcement stand for the day.

Mr. BURNHAM (when his name was called). I have a general pair with the junior Senator from Maryland [Mr. SMITH], and I therefore withhold my vote. If permitted to vote, I should vote "yea."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the Senator from Missouri [Mr. STONE]. I therefore withhold my vote. If he were present, I should vote "yea."

Mr. DILLINGHAM (when his name was called). On account of my general pair with the senior Senator from South Carolina [Mr. TILLMAN], who is absent, I withhold my vote.

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. I do not see him in the Chamber. I therefore withhold my vote. If I were free to vote, I would vote "yea."

Mr. LEA (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the junior Senator from Maine [Mr. GARDNER] and vote "yea."

Mr. SIMMONS (when his name was called). I am paired with the junior Senator from Minnesota [Mr. CLAPP], and I withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I understand that the senior Senator from Michigan [Mr. SMITH], who is unavoidably absent, is paired with the junior Senator from Florida [Mr. BRYAN].

Mr. SMOOT (when Mr. SUTHERLAND's name was called). My colleague [Mr. SUTHERLAND] is unavoidably detained from the Chamber.

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. BRIGES]. I transfer that pair to the junior Senator from Missouri [Mr. REED] and vote "nay."

The roll call was concluded.

Mr. BRADLEY. I am paired with the senior Senator from Tennessee [Mr. TAYLOR]. I transfer that pair to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote "yea."

Mr. DILLINGHAM. I transfer my pair with the senior Senator from South Carolina [Mr. TILLMAN] to the junior Senator from Illinois [Mr. LORIMER] and vote "yea."

The result was announced—yeas 36, nays 13, as follows:

## YEAS—36.

Bourne	Fletcher	Newlands	Poindexter
Bradley	Foster	Nixon	Richardson
Brandegee	Gallinger	Oliver	Root
Brown	Johnston, Ala.	Overman	Smoot
Chamberlain	Lea	Owen	Swanson
Crane	McLean	Page	Thornton
Cullom	Martin, Va.	Penrose	Townsend
Curtis	Martine, N. J.	Percy	Warren
Dillingham	Nelson	Perkins	Williams

## NAYS—13.

Bacon	Crawford	Pomerene	Works
Bristow	Jones	Smith, Ga.	
Chilton	Kenyon	Smith, S. C.	
Clarke, Ark.	Myers	Watson	

## NOT VOTING—42.

Bailey	Davis	Kern	Simmons
Bankhead	Dixon	La Follette	Smith, Md.
Borah	du Pont	Lippitt	Smith, Mich.
Briggs	Gamble	Lodge	Stephenson
Bryan	Gardner	Lorimer	Stone
Burnham	Gore	McCumber	Sutherland
Burton	Gronna	O'Gorman	Taylor
Clapp	Guggenheim	Paynter	Tillman
Clark, Wyo.	Heyburn	Rayner	Wetmore
Culberson	Hitchcock	Reed	
Cummins	Johnson, Me.	Shively	

So the amendment was agreed to.

The next amendment of the Committee on Appropriations was, in the item of appropriation for the maintenance of the "Executive Office," page 2, in line 4, before the word "dollars," to strike out "two hundred and eighty" and insert "six hundred and thirty-six"; in line 5, before the word "thousand," to strike out "five" and insert "six"; in line 12, before the word "hundred," strike out "four" and insert "five"; and in line 15, before the word "hundred," to strike out "three" and insert "four," so as to read:

Executive office: Two commissioners, at \$6,000 each; engineer commissioner, \$636 (to make salary \$6,000); additional compensation for two assistants to the engineer commissioner, detailed from the Engineer Corps of the United States Army, under act of Congress approved June 11, 1878, two at \$250 each; secretary, \$2,400; two assistant secretaries to commissioners, one at \$1,500, and one at \$1,200; clerks—one at \$1,600, one at \$1,500, one at \$1,400.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the "executive office," on page 2, line 18, after the word "dollars," to strike out "one at \$840, one at \$720," and insert "two at \$840 each"; and in line 20, after the word "messengers," to strike out "one at \$600," and insert "two at \$600 each," so as to read:

Two at \$1,200 each, one who shall be a stenographer and typewriter, \$1,000, two at \$840 each, one at \$600; messengers—two at \$600 each, one at \$480; stenographer and typewriter, \$840; two drivers, at \$600 each.

The amendment was agreed to.

The next amendment was, on page 3, after line 3, to insert:

Medicines, surgical and hospital supplies, \$1,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 5, to insert:

Allowance for team, at \$30 per month, \$360.

The amendment was agreed to.

The next amendment was, on page 3, line 8, after the word "shall," to insert "hereafter"; in line 15, before the word "hundred," to strike out "six" and insert "seven"; in the same line, after the word "dollars," to insert "computer (trans-

ferred from per diem roll) \$1,440"; in line 19, after the word "each," to insert "four at \$840 each"; and in line 20, before the word "at," to strike out "six" and insert "two," so as to read:

Purchasing division: Purchasing officer, who shall hereafter, under the direction of the commissioners, supervise the purchase and distribution of all supplies, stores, and construction materials for the use of the government of the District of Columbia, and who shall give bond in such sum as the commissioners may determine, \$2,750; deputy purchasing officer, \$1,700; computer (transferred from per diem roll), \$1,440; clerk, \$1,500; clerks—1 at \$1,300, 6 at \$1,200 each, 3 at \$900 each, 4 at \$840 each, 2 at \$720 each.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the purchasing division, on page 3, line 25, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred"; in the same line, after the word "dollars," where it occurs the second time, to strike out "inspector, \$780," and insert "inspector of materials, \$900"; on page 4, line 4, before the word "inspector," to strike out "two laborers, at \$600 each," and insert "two clerks, at \$720 each"; and in line 6, after the word "dollars," to insert "temporary labor, \$150"; so as to read:

Driver, \$600; inspector, \$900; inspector of materials, \$900; 2 clerks, at \$720 each; inspector of property, \$936; property-yard keeper, \$1,000; inspector of materials, \$1,200; temporary labor, \$150.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to insert:

Hereafter whenever any bid or proposal for any work, material, or supplies shall be accepted by the Commissioners of the District of Columbia and a contract therefor is required to be signed by them, every such contract may be signed, sealed, and delivered in the name of and for and on behalf of the District of Columbia when signed by a majority of said commissioners.

Mr. GALLINGER. I move to strike out the words "when signed" in line 13. It is a duplication of language.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

Mr. WORKS. Mr. President, I make the point of order with respect to this clause that it is general legislation. I understand the law now provides that the action of the commissioners must be unanimous. This is an effort to change the law in that respect, and it seems to me to be quite important. Certainly it is general legislation on that subject.

Mr. GALLINGER. Mr. President, the reason for this provision is that at certain seasons of the year one of the commissioners is absent. Like most of the rest of us they take a vacation, and as at present the business of the District is greatly interrupted by not having the entire board all the time in the District of Columbia. It is not a matter of consequence to me at all, but in the administration of the office of the commissioners it is very important. I trust the Senator from California will not make a point of order against this provision, because it does no harm to anybody, and it facilitates greatly the administration of the business of the District.

Mr. WORKS. I make it, Mr. President, because I understand that this amendment grew out of the fact of a dispute upon that very question, where the parties were unable to procure unanimous consent, and that the object of this provision is to meet that condition, not the mere fact that it is inconvenient in the dispatch of business. I may be misinformed in respect to that.

Mr. GALLINGER. If there was trouble, the trouble grew out of the present situation, where unanimous concurrence is required, and one of the commissioners was absent on his vacation. They are permitted 30 days leave.

Mr. WORKS. My information is quite to the contrary, I will say to the Senator from New Hampshire. It is that the commissioners were present and were unable to secure the necessary unanimous consent, and that it resulted in quite a little dissatisfaction.

Mr. GALLINGER. If that be so, of course the Senator does not cure that condition by insisting that the law shall remain as it is.

Mr. WORKS. My judgment about it is that there should be unanimous consent, or I would not make the point against the amendment.

Mr. GALLINGER. Well, Mr. President, I submit it to the Chair.

The PRESIDING OFFICER. The point of order is sustained. Evidently it is legislation. The Secretary will proceed with the reading of the bill.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 4, line 18, after the word "buildings," to insert "one at \$1,400; two at \$1,300 each"; in line 20, before the word "at," to strike out "eleven" and insert "eight"; in line 24, after the word "dollars," to strike out "two civil engineers or computers, at \$1,500

each" and insert "civil engineer or computer, \$1,600; civil engineer or computer, \$1,500," so as to make the clause read:

Building inspection division: Inspector of buildings, \$3,000; principal assistant inspector of buildings, \$1,800; assistant inspectors of buildings—one at \$1,400, two at \$1,300 each, eight at \$1,200 each; fire-escape inspector, \$1,400; temporary employment of additional assistant inspectors for such time as their services may be necessary, \$3,000; civil engineer or computer, \$1,600; civil engineer or computer, \$1,500; chief clerk, \$1,500; clerks—one at \$1,050, one at \$1,000, one (who shall be a stenographer and typewriter) at \$1,000, one at \$900; messenger, \$480; assistant inspector, \$1,500.

The amendment was agreed to.

The next amendment was, on page 5, after line 7, to strike out:

Hereafter one-half of the fees collected on account of permits, certificates, and transcripts of records issued by the inspector of buildings of the District of Columbia shall be paid into the Treasury to the credit of the United States.

Mr. WILLIAMS. I should like to ask the Senator in charge of the bill why it was lines 8 to 11, inclusive, were stricken out? It seems to me, if we are proceeding upon the theory—and we are, and I think we ought to—of paying half of the expenses of the District of Columbia, we ought to receive one-half of the receipts that come in from the fees and transcripts and certificates and permits.

Mr. GALLINGER. This was stricken out for the purpose of throwing into conference a controverted question. The committee are not clear that this is a proper disposition to make of the question. Heretofore all these fees have gone into the treasury of the District of Columbia. My personal judgment is that instead of taking one-half the fees, if we are going to make any change in the present system, the salaries of the officials who do this work ought to be paid by the District of Columbia. The present provision in the House bill—and there is a still further provision along the same line—will undoubtedly add considerably to the revenues of the General Government and deplete the District revenues to that extent. But it is a question whether or not we should take one-half the revenues—

Mr. WILLIAMS. Is there any scheme on foot to put these officers on salaries instead of fees?

Mr. GALLINGER. They are not the salaries of the officers, but the fees coming from the citizens. As an illustration, a permit to lay a sidewalk is one-half paid from the treasury of the District of Columbia—

Mr. WILLIAMS. I just want to say this—

Mr. GALLINGER. If the Senator will allow me to conclude the sentence, I remarked that, as an illustration, when a sidewalk is laid a permit is issued for it and a fee is exacted to some extent. That sidewalk is paid for one-half out of the Treasury and one-half by the citizens. That is the class of fees this item refers to.

Mr. WILLIAMS. Yes, I see.

Mr. GALLINGER. Not fees to officers. We have nothing of that kind, so far as I know, in the District.

Mr. WILLIAMS. It is not only that, but transcripts of records issued by the inspector of buildings, all permits and certificates, are charged for.

Mr. GALLINGER. It may be that the House provision is a wise provision, but after all we have been going along on the half-and-half system and these fees have been turned into the treasury of the District of Columbia. Now the House has raised an issue. It may be a wise issue, but the committee wanted to confer with the House Members about it in conference and try to adjust the matter equitably and satisfactorily all along the line.

Mr. WILLIAMS. Does the Senator think there will be a free and full conference on the subject?

Mr. GALLINGER. I have not any doubt with reference to the District bill. We have a conference extending over a good many days, and we always reach, as we believe, wise conclusions.

Mr. WILLIAMS. I know that before I reached this very exalted station, when I was a Member of the House, I found that when we went into conference with the Senate, unless there was unanimous consent on the part of 92 Senators we could not prevail in conference; in other words, the Senate conferees never divided. I do not know what they are doing now, but they stood by one another.

Mr. GALLINGER. Oh, the Senate—

Mr. WILLIAMS. I just want to say this, Mr. President: I want to see Washington the best governed, the most beautiful, and the most liberally treated city in the world. I think it deserves to be all of that, because it is the capital of this great country. I believe in the half-and-half principle of running the District for very many reasons, which I shall not enter into now. I think we ought to make of Washington the model city of the United States in its schools, in its sanitary arrangements, in its cleanliness, in its police and fire protection, and in

every other way; but I think that the inhabitants of the District of Columbia, if the Senate will excuse a plantation phrase, ought to "tote fair," and if we are going to pay for half of all the expenditures in the District, then these little dribbles—they do not amount to much—which are paid by the citizens of the District for public services, permits, certificates, transcripts, and so forth, ought to be divided half and half, too; and I think it is better for the District that they should be divided, because there will then be less chance of arousing prejudice and antagonism toward the half-and-half principle which hitherto has regulated our legislation. So that in the interest of the District itself, it seems to me, we ought not to be picayunish about dividing the receipts while we are dividing the expenditures; and I hope that when the matter comes back from conference it will be found that the House conferees have overpersuaded, to use another plantation phrase, the Senate conferees in this regard.

Mr. GALLINGER. I will say to the Senator that the House conferees are very much in the habit of overpersuading the Senate conferees. In every bill since—

Mr. SMITH of Georgia. Mr. President—

Mr. GALLINGER. If the Senator will permit me a moment—in every bill that I have had anything to do with the House conferees certainly have got their share in the matter of amendments. I simply want personally to try to have this matter adjusted. There is an agitation which, in my opinion, unless there is some adjustment of the matter, will destroy the half-and-half principle upon which we have been operating since 1879. If we can equitably arrange it in this bill, it will be, in my judgment, a very wise thing to do. That is what I want to do; I want to do it fairly; and I think we will be able to accomplish that.

Mr. SMITH of Georgia. Mr. President, I should like to ask the Senator if he does not think it right that this money should go into the General Treasury; and if so, why should we not make the proper record now instead of disagreeing with something proper that the House has done?

Mr. GALLINGER. I have said, Mr. President, that I am not at all sure that this is the best way to do it. My impression has been that where the General Government pays one-half of the salaries of the officials of a District office in which fees are collected, instead of taking one-half the receipts and depleting the District revenues to that extent, and possibly preventing the development that the Senator from Mississippi and I are so anxious for, it might be a more equitable way for the District to pay the salaries of that office and then take all the revenues derived from it; but I want to consult with the House conferees on that very point.

Mr. WILLIAMS. Now, as a matter of fact, in these particular cases the fees, if I may call them such, do not go to the officers; they go into the treasury of the District; but the identical officers in whose names the fees are collected are paid salaries, and the General Treasury of the United States pays one-half of those salaries.

Mr. GALLINGER. That is correct.

Mr. SMOOT. And gets no part of the fees?

Mr. WILLIAMS. And gets no part of the fees. They are already upon a salary basis; the General Government is paying half of the salaries. Now, as a matter of fact, these fees do go very largely toward making up the amounts paid out in salaries. Possibly in some cases they make up more than is paid out in salaries; and it seems to me that one of two things ought to take place—either the District treasury should receive the fees and pay the salaries or else both treasuries ought to receive the fees and out of both treasuries the salaries should be paid. I think it is fair that the latter of the two plans should prevail, because then automatically the half-and-half principle prevails, whereas if all the receipts go into the District treasury and there is a difference between receipts and expenditures the half-and-half principle no longer prevails.

Mr. GALLINGER. The Senator may be right, and I assure him that, so far as I am concerned, it will be given very careful consideration. I have no prejudice about it at all, only I think this is a good time to adjust the matter, and the only way to do it is to throw the matter into conference. There are one or two other items along the same line.

Mr. SMITH of Georgia. Would the Senator give us the amount annually covered by this provision?

Mr. GALLINGER. I can not now do so, I will say to the Senator from Georgia.

Mr. SMITH of Georgia. Well, substantially.

Mr. GALLINGER. I say I can not.

Mr. SMITH of Georgia. Did the Senator state that it included the one-half paid by the property holders for sidewalk improvements?

Mr. GALLINGER. I am not so sure now about that, but I think it does.

Mr. SMITH of Georgia. I understood the Senator to say that it did.

Mr. GALLINGER. Yes; I think it does.

Mr. SMITH of Georgia. Then, it must be quite a large sum.

Mr. GALLINGER. Oh, quite a sum. It will be given very careful consideration.

Mr. SMITH of Georgia. Then, Mr. President, it seems to me that we put ourselves in a very peculiar position if we decline to agree to this proposition because the House inserted it. It is clearly right; and if it is right, why should we make a wrong record here on it? I think the provision ought to remain in the bill, and we ought not to strike it out.

Mr. GALLINGER. I hope the amendment may prevail, so that the matter may be more calmly considered by the conference committee than it can be in the Senate.

Mr. WILLIAMS. Nobody is excited.

Mr. SMITH of Georgia. Is there a place where consideration can be calmer than it is in the Senate? [Laughter.]

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee. [Putting the question.] By the sound the "ayes" appear to have it.

Mr. SMITH of Georgia. I ask for a division. I understand the amendment strikes out the House provision.

The PRESIDING OFFICER. The amendment strikes out the language in the House bill, and the Senator from Georgia thinks it ought to remain in the bill.

Mr. SMITH of Georgia. Yes; and the Chair was about to decide that the "ayes" prevailed, and that the amendment was agreed to.

The PRESIDING OFFICER. In the opinion of the Chair, the "ayes" carried it.

Mr. SMITH of Georgia. Upon that I demand a division.

The PRESIDING OFFICER. The Senator from Georgia asks for a division.

Mr. GALLINGER. Mr. President, we had better have the yeas and nays.

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

Mr. SIMMONS (when his name was called). I have a general pair with the Senator from Minnesota [Mr. CLAPP]. In his absence I withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to state that the senior Senator from Michigan [Mr. SMITH] is paired with the junior Senator from Florida [Mr. BRYAN], and I wish this statement to stand on all votes to-day.

Mr. LEA (when Mr. TAYLOR's name was called). The senior Senator from Tennessee [Mr. TAYLOR] is detained from the Chamber by illness.

Mr. WATSON (when his name was called). I again transfer my general pair with the senior Senator from New Jersey [Mr. BRIGGS] to the junior Senator from Missouri [Mr. REED], and I will vote. I vote "nay."

The roll call was concluded.

Mr. BURNHAM. I have a general pair with the junior Senator from Maryland [Mr. SMITH]. In his absence I withhold my vote. If I were at liberty to vote I should vote "yea."

Mr. DU PONT. I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. As he is not present, I withhold my vote. If I were free to vote I would vote "yea."

Mr. BRADLEY. I have a pair with the senior Senator from Tennessee [Mr. TAYLOR], which I transfer to the junior Senator from Wisconsin [Mr. STEPHENSON] and will vote. I vote "yea."

Mr. DILLINGHAM. The general pair which I have with the senior Senator from South Carolina [Mr. TILLMAN] I transfer to the junior Senator from Illinois [Mr. LORIMER], the transfer to stand for all votes to-day. I vote "yea."

Mr. LEA (after having voted in the negative). In voting, I should have stated that I have a general pair with the Senator from Rhode Island [Mr. LIPPITT], which I transfer to the junior Senator from Maine [Mr. GARDNER]. I make this announcement for the day.

Mr. PERKINS (after having voted in the affirmative). I have a general pair with the Senator from North Carolina [Mr. OVERMAN]. He is a member of the Committee on Appropriations, and voted to report the pending bill, and I assume he is in favor of this amendment. Therefore I will let my vote stand.

The PRESIDING OFFICER. On this question the yeas are 29, nays 11. Not a quorum of the Senate has voted.

Mr. GALLINGER (at 1 o'clock and 39 minutes p. m.). I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The motion was agreed to.

At 1 o'clock and 41 minutes p. m. Mr. CRAWFORD entered the Chamber and responded to his name, voting "yea."

At 1.43 p. m. Mr. PENROSE entered the Chamber and responded to his name, voting "yea."

At 1.44 p. m. Mr. PERCY entered the Chamber and said: I am paired with the senior Senator from North Dakota [Mr. McCUMBER]. I transfer the pair to the Senator from Indiana [Mr. SHIVELY] and will vote. I vote "nay."

At 1.45 o'clock p. m. Mr. NEWLANDS entered the Chamber and voted "yea."

At 1.46 o'clock p. m. Mr. BORAH entered the Chamber and voted "yea."

At 1.47 o'clock p. m. Mr. RAYNER entered the Chamber.

The PRESIDING OFFICER. Has the senior Senator from Maryland voted?

Mr. RAYNER. He has not.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maryland.

Mr. RAYNER answered "present."

At 1.48 o'clock p. m. Mr. CLARKE of Arkansas entered the Chamber and voted "nay."

At 1.49 o'clock p. m. Mr. FOSTER and Mr. THORNTON entered the Chamber and each voted "yea."

The result was announced—yeas 35, nays 13, as follows:

## YEAS—35.

Borah	Dillingham	Nixon	Smoot
Bourne	Fletcher	Oliver	Sutherland
Bradley	Foster	Page	Swanson
Brandegee	Gallinger	Penrose	Thornton
Brown	Jones	Perkins	Townsend
Crane	McLean	Poindexter	Warren
Crawford	Martin, Va.	Pomerene	Wetmore
Cummins	Nelson	Richardson	Works
Curtis	Newlands	Root	

## NAYS—13.

Bristow	Lea	Percy	Williams
Chamberlain	Martine, N. J.	Smith, Ga.	
Clarke, Ark.	Myers	Smith, S. C.	
Johnston, Ala.	Owen	Watson	

## NOT VOTING—43.

Bacon	Cullom	Johnson, Me.	Rayner
Bailey	Davis	Kenyon	Reed
Bankhead	Dixon	Kern	Shively
Briggs	du Pont	La Follette	Simmons
Bryan	Gamble	Lippitt	Smith, Md.
Burnham	Gardner	Lodge	Smith, Mich.
Burton	Gore	Lorimer	Stephenson
Chilton	Gronna	McCumber	Stone
Clapp	Guggenheim	O'Gorman	Taylor
Clark, Wyo.	Heyburn	Overman	Tillman
Culbertson	Hitchcock	Paynter	

So the amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 5, after line 15, to insert:

For the purchase and maintenance of one motor vehicle for the official use only of the employees of the building division in inspection work, or so much thereof as may be necessary, \$1,500.

The amendment was agreed to.

The next amendment was, on page 5, line 22, before the word "dollars," to strike out "four hundred" and insert "four hundred and fifty"; on page 6, line 3, before the word "dollars," to strike out "one thousand seven hundred" and insert "two thousand"; and in line 6, before the word "dollars," to strike out "three hundred" and insert "one hundred and fifty," so as to make the clause read:

Plumbing inspection division: Inspector of plumbing, \$2,000; principal assistant inspector of plumbing, \$1,550; assistant inspectors of plumbing—1 at \$1,200, 4 at \$1,000 each; clerk, \$1,200; temporary employment of additional assistant inspectors of plumbing and laborers for such time as their services may be necessary, \$2,000; draftsman, \$1,350; sewer tapper, \$1,000; clerk, \$900; three members of the plumbing board, at \$150 each; maintenance of motor cycle, \$120.

The amendment was agreed to.

The next amendment was, on page 6, line 9, to increase the total appropriation for the maintenance of executive office of the District of Columbia from \$112,586 to \$121,872.

The amendment was agreed to.

The next amendment was, in the appropriation for care of the District Building, on page 6, line 24, before the word "cleaners," to strike out "thirty" and insert "thirty-six," so as to read:

Two chief cleaners, who shall also have charge of the lavatories, at \$500 each; 36 cleaners, at \$240 each.

The amendment was agreed to.

The next amendment was, on page 7, line 3, to increase the total appropriation for the care of District Building from \$36,530 to \$37,970.

The amendment was agreed to.

The next amendment was, in the appropriation for the maintenance of the assessor's office, on page 8, line 5, after the word "dollars," to insert "record clerk, \$1,800," and in line 8, before

the word "and," to strike out "forty-eight thousand two hundred" and insert "fifty thousand," so as to read:

Temporary clerk hire, \$500; record clerk, \$1,800; record clerk, \$1,500; in all, \$50,090.

The amendment was agreed to.

The next amendment was, on page 8, line 11, after the word "dollars," to strike out "messenger, \$600," and insert "clerk and messenger, \$840," and in line 13, before the word "dollars," strike out "four thousand eight hundred" and insert "five thousand and forty," so as to make the clause read:

Excise board: Chief clerk, \$2,000; clerks—one at \$1,200, one at \$1,000; clerk and messenger, \$840; in all, \$5,040.

The amendment was agreed to.

The next amendment was, on page 8, line 23, after the word "dollars," to strike out "assistant cashier, \$1,400," and insert "two assistant cashiers, at \$1,400 each," and on page 9, line 6, before the word "hundred," to strike out "twenty-one thousand seven" and insert "twenty-three thousand one," so as to make the clause read:

Collector's office: Collector, \$4,000; deputy collector, \$2,000; cashier, \$1,800; two assistant cashiers, at \$1,400 each; bookkeeper, \$1,600; clerks—three at \$1,400 each, one at \$1,200, one at \$1,000; three at \$900 each; clerk and bank messenger, \$1,200; messenger, \$600; in all, \$23,100.

The amendment was agreed to.

The next amendment was, on page 9, line 7, after the word "labor," to strike out "in" and insert "including," so as to make the clause read:

For extra labor, including the preparation of tax-sale certificates and data, which the law requires this office to furnish the recorder of deeds and the assessor, with authority to employ typewriters and clerks, \$800.

The amendment was agreed to.

The next amendment was, on page 9, line 13, before the word "dollars," to strike out "one thousand eight hundred" and insert "two thousand," and in line 14, before the word "clerks," to insert "accountant, \$1,800," so as to read:

Auditor's office: Auditor, \$4,000; chief clerk, \$2,250; bookkeeper, \$2,000; accountant, \$1,800.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the auditor's office, on page 9, line 21, after the word "each," to insert "stenographer, \$900," and on page 10, line 4, before the word "hundred," to strike out "forty-one thousand nine" and insert "forty-four thousand eight," so as to read:

Clerks—Three at \$1,600 each, three at \$1,400 each, one at \$1,350, three at \$1,200 each, six at \$1,000 each, one at \$936, two at \$900 each, two at \$720 each; stenographer, \$900; messenger, \$600; disbursing officer, \$3,000; deputy disbursing officer, \$1,600; clerks—one at \$1,200, two at \$1,000 each, one at \$900; messenger, \$480; in all, \$44,856.

The amendment was agreed to.

The next amendment was, on page 10, line 6, before the word "dollars," to strike out "four thousand five hundred" and insert "five thousand," and in line 14, before the word "hundred," strike out "one" and insert "six," so as to make the clause read:

Corporation counsel, \$5,000; first assistant, \$2,500; second assistant, \$1,800; third assistant, \$1,600; fourth assistant, \$1,500; fifth assistant, \$1,500; stenographer, \$1,200; stenographer, \$840; clerk, \$720; in all, \$16,660.

The amendment was agreed to.

The next amendment was, on page 10, line 17, after the word "dollars," to insert "clerk, \$900; in all, \$2,500," so as to make the clause read:

Sinking-fund office, under control of the Treasurer of the United States: One clerk, \$1,600; clerk, \$900; in all, \$2,500.

The amendment was agreed to.

The next amendment was, on page 10, line 21, before the word "dollars," to strike out "seven hundred and twenty" and insert "eight hundred and forty"; in line 22, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred"; in line 24, before the word "dollars," to strike out "three hundred and sixty" and insert "four hundred and eighty"; and in line 25, before the word "dollars," to strike out "three hundred and sixty" and insert "seven hundred and twenty," so as to make the clause read:

Coroner's office: Coroner, \$1,800; morgue master, \$840; assistant morgue master and janitor, \$600; hostler and janitor, \$480; in all, \$3,720.

The amendment was agreed to.

The next amendment was, on page 11, line 10, before the word "dollars," to strike out "five hundred and forty" and insert "six hundred"; in line 11, before the word "dollars," to strike out "four hundred and eighty" and insert "five hundred and forty"; and in line 17, before the word "dollars," to strike

out "three hundred and sixty" and insert "four hundred and eighty," so as to make the clause read:

Farmer's Produce Market: Market master, \$900; assistant market master, who shall also act as night watchman, \$600; watchman, \$540; laborer for sweeping B Street sidewalk used for market purposes and the wholesale market square, \$360; sweeping B Street used for market purposes, \$480; hauling refuse (street sweepings), \$600; in all, \$3,480.

The amendment was agreed to.

The next amendment was, on page 11, line 20, before the word "dollars," to strike out "two hundred and forty" and insert "three hundred," so as to make the clause read:

Eastern Market: Laborer for cleaning sidewalk and street where used for market purposes (farmers' market), \$300.

The amendment was agreed to.

The next amendment was, on page 11, line 23, before the word "dollars," to strike out "two hundred and forty" and insert "three hundred," so as to make the clause read:

Western Market: Laborer for cleaning sidewalk and street where used for market purposes (farmers' market), \$300.

The amendment was agreed to.

The next amendment was, on page 12, line 2, before the word "dollars," to strike out "two hundred" and insert "three hundred and twenty"; in line 3, before the word "dollars," to strike out "nine hundred" and insert "one thousand"; in line 4, before the word "laborer," to insert "driver, \$600," and in line 6, before the word "dollars," to strike out "six thousand two hundred and eighty" and insert "seven thousand one hundred"; so as to make the clause read:

Office of Superintendent of Weights, Measures, and Markets: Superintendent, \$2,500; assistant, \$1,320; clerk, \$1,200; assistant, \$1,000; driver, \$600; laborer, \$480; in all, \$7,100.

The amendment was agreed to.

The next amendment was, on page 12, line 15, before the word "roads," to strike out "county" and insert "suburban."

Mr. WILLIAMS. Purely for information, I wish to ask the Senator from New Hampshire a question. I notice in line 14 the word "county" is stricken out and the word "suburban" is inserted. I do not understand how the word "county" ever got there at all.

Mr. GALLINGER. I will say to the Senator that they had at one time the county of Washington, which I think included all the territory north of the so-called boundary, which is Florida Avenue, and they have continued to use the word "county" up to the present time. It occurred to me that "suburban" is a much better word.

Mr. WILLIAMS. Or almost any other word, since the county was abolished.

Mr. GALLINGER. Yes; or almost any other word.

The amendment was agreed to.

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

The SECRETARY. A bill (H. R. 1) granting a service pension to certain defined veterans of the Civil War and the War with Mexico.

Mr. McCUMBER. I have had no information that any Senator desires to discuss the unfinished business to-day. I therefore ask that it may be temporarily laid aside, and will state that I shall not call it up during the day.

The PRESIDING OFFICER. The Senator from North Dakota asks unanimous consent that the unfinished business may be temporarily laid aside. Without objection, it will be so ordered. The appropriation bill will be proceeded with.

The next amendment of the Committee on Appropriations was, on page 12, line 15, before the word "dollars," to insert "two hundred," and in line 16, before the word "dollars," to insert "three hundred," so as to read:

Engineer commissioner's office: Engineer of highways, \$3,000; engineer of bridges, \$2,250; superintendent of streets, \$2,000; superintendent of suburban roads, \$2,200; superintendent of sewers, \$3,300; inspector of asphalt and cements, \$2,400.

The amendment was agreed to.

The next amendment was in the item of appropriation for the maintenance of the engineer commissioner's office, on page 13, line 4, before the word "at," to strike out "four" and insert "five," so as to read:

Assistant engineers—one at \$2,200, one at \$2,100, five at \$1,800 each.

The amendment was agreed to.

The next amendment was in the item of appropriation for the maintenance of the engineer commissioner's office, on page 13, line 20, before the word "including," to strike out "six" and insert "seven"; in line 21, after the word "each," to strike out "one at \$1,000"; in line 22, after the word "dollars," to insert "property-yard keeper, \$1,000"; in line 24, after the word "dol-

lars," to insert "one at \$1,000"; and in line 25, before the word "at," to strike out "ten" and insert "nine," so as to read:

Inspectors—2 at \$1,500 each; 7, including 3 inspectors of streets, at \$1,200 each; 1 at \$900; property-yard keeper, \$1,000; foremen—12 at \$1,200 each, 1 at \$1,050, 1 at \$1,000, 9 at \$900 each.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the Engineer Commissioner's Office, on page 14, line 7, before the word "dollars," to insert "two hundred"; in line 9, before the word "at," to strike out "two" and insert "four"; in the same line, after the word "each," to strike out "3 at \$1,400 each" and insert "1 at \$1,400"; in line 11, before the word "at," to strike out "five" and insert "six"; in line 12, before the word "at," to strike out "two" and insert "three"; in line 13, after the word "dollars," to strike out "1 at \$840; 2 at \$750 each" and insert "2 at \$840 each, 1 at \$750"; in line 16, before the word "at," to strike out "one" and insert "five"; and in line 17, before the word "at," to strike out "six" and insert "two," so as to read:

Bridgekeepers—1 at \$650, 3 at \$600 each; chief clerk, \$2,250; permit clerk, \$1,500; assistant permit clerk, \$1,200; index clerk and typewriter, \$900; clerks—1 at \$1,800, 4 at \$1,500 each, 1 at \$1,400, 6 at \$1,200 each, 3 at \$1,000 each, 1 at \$900, 2 at \$840 each, 1 at \$750, 1 at \$600; messengers—5 at \$600, 2 at \$540 each.

The amendment was agreed to.

The next amendment was, on page 15, line 9, to increase the total appropriation for the maintenance of the engineer commissioner's office, from \$179,810 to \$186,340.

The amendment was agreed to.

The next amendment was, on page 15, line 12, after the word "duty," to insert "hereafter," so as to read:

Municipal architect's office: Municipal architect, whose duty hereafter it shall be to prepare or supervise the preparation of plans for, and superintend the construction of, all municipal buildings, and the repair and improvement of all buildings belonging to the District of Columbia.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the municipal architect's office, on page 16, line 3, after the word "dollars," to strike out "1 at \$620" and insert "2 at \$840 each"; in line 7, before the word "dollars," to strike out "twenty-four thousand eight hundred and fifty" and insert "twenty-five thousand nine hundred and ten," so as to read:

Clerks—1 at \$1,050; 2 at \$840 each; copyist, \$840; driver, \$540; in all, \$25,910.

The amendment was agreed to.

The next amendment was, on page 16, after line 12, to insert:

For runabout, or automobile, for the superintendent of construction, and for repair and maintenance of same, \$1,500.

Mr. BRISTOW. Mr. President, that is another automobile, I see, that the Government is purchasing. What necessity is there for this additional automobile? I should like to inquire about how many automobiles and carriages combined the government of the District of Columbia has purchased and that are being used by District officials?

Mr. GALLINGER. I can not, I regret to say, answer the Senator's question offhand. That could only be determined by making an inquiry of the officials at the Municipal Building.

This particular official goes all over the District of Columbia, 70 square miles, in repairing school buildings and other buildings. He has doubtless a conveyance of some description now, probably a horse and carriage, or he hires a conveyance. It was argued in the hearings that this would be a matter of economy, that he would go much more rapidly and economize his time, and that the appropriation ought to be made. I will read precisely what was said about it. I inquired:

How does he get around?

Maj. JUDSON. He gets around with a horse and buggy, and he has to go to the municipal buildings scattered all over the District. I think myself it would add greatly to his efficiency to give him this runabout.

Senator SMOOT. If we gave it to him, he could do away with his horse and buggy?

Maj. JUDSON. Yes, sir; he would do away with his horse and buggy.

Senator GALLINGER. He does not supply his own team?

Maj. JUDSON. No. I think no private corporation would fail to give him a runabout for its own interest under similar circumstances.

That is exactly what developed in the hearing. It was argued that it was a matter of economy rather than of profligacy, and the committee were persuaded.

Mr. BRISTOW. There is an effort, or has been in years past, on the part of a number of other District officials to secure automobiles. Of course they are to be used, I suppose, in a way for their official business, and also very largely for personal comfort. I know I frequently see these officials enjoying the cool of the evening in Government automobiles, at public expense. Some argument is made, of course, when the Appropriation Committees are considering these things to do away

with the old-fashioned horse and buggy, which is much more cheaply maintained, and to get an automobile, which can take the whole family. A horse and buggy will take only two, and sometimes, when there are numerous members of the family, they prefer the five-passenger machine. The town is full of them, in my judgment, and sometimes on the streets it is hard work for those of us who plod around as best we can to keep from being run over by these Government automobiles in the hands of city officials, presumably on official business occasionally.

I do not want to object to an automobile where it is used for official business and is a matter of economy, but I do object to the Government providing these subordinate officials here not only with very competent salaries, but also with all the luxuries of automobiles that cost some thousand and fifteen hundred dollars a year to maintain.

Mr. GALLINGER. The further statement was made that—

One building is at Burrville, near the eastern line of the District, and one at Thirty-sixth Street west, 8 miles apart. One at First and I Streets south, and another at Brightwood north, 6½ miles apart. We must cover nearly 40 miles a day to visit all the buildings under construction and the supervision of this office. The horse could not cover more than one-third of this daily travel, so that, figuring on the mile cost, our machine has cost for the last six months \$1.37 per day, or 3.42 cents per mile, while a horse costs 5.82 cents per mile.

The further suggestion was made that a horse does not stand that work very long.

Mr. BRISTOW. Of course, all these buildings are on street car lines.

Mr. GALLINGER. Not all of them, I will say to the Senator. The street car lines in this District are very inadequate to reach all sections of the city, I think altogether too much so. I think we ought to have more.

Mr. BRISTOW. Many times one can make a trip in a street car just as quickly as in an automobile, and with less danger to the public.

I think I will have to ask for a vote on the committee amendment. I want to vote against it.

Mr. GALLINGER. The Senator will be content with a viva voce vote?

Mr. BRISTOW. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 16, line 17, after the word "clerks," to insert "2 at \$1,500 each"; in line 18, before the word "at," to strike out "seven" and insert "five"; and in line 21, before the word "hundred," to strike out "twelve thousand nine" and insert "thirteen thousand five," so as to make the clause read:

Special assessment office: Special assessment clerk, \$2,000; clerks—2 at \$1,500 each, 5 at \$1,200 each, 2 at \$900 each, 1 at \$750; in all, \$13,550.

The amendment was agreed to.

The next amendment was, on page 16, line 23, before the word "dollars," to strike out "five hundred" and insert "seven hundred and fifty," so as to read:

Street-cleaning division: Superintendent, \$2,750.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the street-cleaning division, on page 17, line 14, before the word "dollars," to strike out "one hundred and eighty" and insert "four hundred and thirty," so as to read:

In all, \$41,430.

The amendment was agreed to.

The next amendment was, on page 17, line 22, before the word "dollars," to strike out "one thousand seven hundred" and insert "two thousand," and on page 18, line 2, after the word "thousand," to insert "three hundred," so as to make the clause read:

Department of insurance: Superintendent of insurance, \$3,500; examiner, \$2,000; statistician, \$1,700; clerk, \$1,200; stenographer, \$720; temporary clerk hire, \$1,200; in all, \$10,320.

The amendment was agreed to.

The next amendment was, on page 18, line 6, before the word "dollars," to strike out "one thousand eight hundred" and insert "two thousand"; in line 13, after the word "dollars," to insert "draftsman, eight hundred and twenty-five dollars"; and in line 21, before the word "dollars," to strike out "twenty-five thousand seven hundred and twenty-five" and insert "twenty-six thousand seven hundred and fifty," so as to make the clause read:

Surveyor's office: Surveyor, \$3,000; assistant surveyor, \$2,000; clerks—one at \$1,225, one at \$975, one at \$675; three assistant engineers, at \$1,500 each; computer, \$1,200; record clerk, \$1,050; inspector, \$1,200; draftsman, \$1,225; draftsman, \$900; draftsman, \$825; assistant computer, \$900; three rodmen, at \$825 each; chainmen—three at \$700

each, two at \$650 each; computer and transitman, \$1,200; in all, \$26,750.

The amendment was agreed to.

The next amendment was, on page 18, line 24, before the word "maintenance," to insert "exchange and," and in line 25, before the word "thousand," to strike out "five" and insert "six," so as to make the clause read:

For services of temporary draftsmen, computers, laborers, additional field party when required, purchase of supplies, care and hire of teams, exchange and maintenance of a motor vehicle, \$6,000, all expenditures hereunder to be made only on the written authority of the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 19, line 3, to increase the total appropriation for the maintenance of the surveyor's office from \$30,725 to \$32,750.

The amendment was agreed to.

The next amendment was, on page 19, line 6, after the word "Library," to strike out ", including Takoma Park branch"; in line 8, before the word "dollars," to strike out "three thousand five hundred" and insert "four thousand"; in the same line, before the word "hundred," to strike out "five" and insert "six"; in line 10, before the word "hundred," to strike out "two" and insert "three"; in the same line, after the word "dollars," to insert "chief industrial division, \$1,000; chief catalogue division, \$1,000"; in line 14, after the word "dollars," to strike out "assistant in charge of work for the blind, \$1,200"; in line 15, after the word "dollars," to strike out "six" and insert "five"; in line 17, before the word "at," to strike out "including one in charge of Takoma Park branch"; in line 18, after the word "each," to strike out "three" and insert "two"; in line 19, after the word "two," to strike out "including in charge of Takoma Park branch"; and in line 21, before the word "nine," to strike out "cataloguer" and insert "classifier," so as to read:

Free Public Library: Librarian, \$4,000; assistant librarian, \$1,600; chief circulating department, \$1,300; chief industrial division, \$1,000; chief catalogue division, \$1,000; children's librarian, \$1,000; librarian's secretary, \$900; reference librarian, \$1,000; assistants—one at \$1,000, five at \$720 each, four at \$600 each, three at \$540 each, two at \$480 each; copyist, \$480; classifier, \$900.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the Free Public Library, on page 20, line 5, after the word "watchman," to strike out "janitor of Takoma Park branch, \$360," and in line 13, before the word "dollars," to strike out "five hundred" and insert "four hundred and forty," so as to read:

Two janitors, at \$480 each, one of whom shall act as night watchman; engineer, \$1,080; fireman, \$720; workman, \$600; library guard, \$720; two cloakroom attendants, at \$360 each; six charwomen, at \$180 each; in all, \$42,440.

The amendment was agreed to.

The next amendment was, on page 20, line 22, after the word "Library," to strike out ", including Takoma Park branch," so as to make the clause read:

Miscellaneous, Free Public Library: For purchase of books, \$7,500.

The amendment was agreed to.

The next amendment was, at the top of page 21, to insert:

Hereafter the Commissioners of the District of Columbia are authorized to enter into contract or contracts for binding books for the Public Library for periods not exceeding three years, subject to annual appropriations of Congress, under such conditions and specifications as they may prescribe.

The amendment was agreed to.

The next amendment was, on page 21, line 7, before the word "maintenance," to insert "purchase and," and in line 9, before the word "dollars," to strike out "five hundred," so as to make the clause read:

For fuel, lighting, fitting up buildings, including lunch-room equipment, purchase and maintenance of motor cycle, and other contingent expenses, \$8,000.

The amendment was agreed to.

The next amendment was, on page 21, line 10, before the word "dollars," to strike out "five hundred," so as to make the clause read:

In all, \$19,000.

The amendment was agreed to.

The next amendment was, on page 21, after line 10, to insert: Takoma Park Branch Library: For maintenance, employment of branch librarian and assistants, substitutes, and other special and temporary services, extra services for Sundays and holidays, purchase of books, periodicals, binding, fuel, and other contingent expenses, the rates of compensation of all employees to be determined by the board of library trustees, \$4,000.

The amendment was agreed to.

The next amendment was, under the head of "Contingent and Miscellaneous Expenses," on page 22, line 5, after the word "dollars" to insert "membership dues of the District of Co-

lumbia in the National Convention of Insurance Commissioners."

Mr. WILLIAMS. I wish to ask the Senator from New Hampshire in charge of the bill about the provision on page 22, lines 5 and 6. Why should we make a public appropriation for membership dues of the District of Columbia in the National Convention of Insurance Commissioners? What have the people or the Government to do with that?

Mr. GALLINGER. Well, Mr. President, just this: If this official keeps in touch with insurance matters he must become a member, or he ought to become a member, of this convention and attend its meetings.

Mr. WILLIAMS. What is the name of the official?

Mr. GALLINGER. The name of the official is George W. Ingham.

Mr. WILLIAMS. I mean the title of his office.

Mr. GALLINGER. He is superintendent of insurance.

Mr. WILLIAMS. That is his public title?

Mr. GALLINGER. Yes; that is his designation. He spent himself \$80 last year. This is not a very large amount.

Mr. WILLIAMS. I will ask the Senator from New Hampshire if it is usual in the States to provide for the payment of the expenses of these people or do the insurance companies pay them?

Mr. GALLINGER. I know that this expense of the insurance commissioner is paid in my State, and I think it is an almost universal custom.

Mr. WILLIAMS. This is a public official?

Mr. GALLINGER. He is a public official.

Mr. WILLIAMS. And he attends these meetings in the capacity of a public official for the purpose of arriving at some sort of uniform insurance regulations?

Mr. GALLINGER. Yes, sir; and it is very necessary, so far as the insurance laws in this District are concerned, to keep well informed, because they need a good deal of amendment.

Mr. WILLIAMS. It is all right, I think.

The amendment was agreed to.

The next amendment was, on page 22, line 14, before the word "dollars," to strike out "thirty-four thousand five hundred" and insert "thirty-seven thousand," so as to read:

For contingent expenses of the government of the District of Columbia, namely: For printing, checks, books, law books, books of reference, and periodicals, stationery; detection of frauds on the revenue; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; maintaining and keeping in good order the laboratory and apparatus in the office of the inspector of asphalt and cement; damages; livery, purchase, and care of horses and carriages or buggies not otherwise provided for; horseshoeing; ice; repairs to pound and vehicles; use of bicycles by inspectors in the engineer department not to exceed \$800; membership dues of the District of Columbia in the National Convention of Insurance Commissioners, and other general necessary expenses of District offices, including the sinking-fund office, Board of Charities, excise board, personal-tax board, harbor master, health department, surveyor's office, superintendent of weights, measures, and markets office, and department of insurance, and purchase of new apparatus and laboratory equipment in office of inspector of asphalt and cement, \$37,000; and the commissioners shall so apportion this sum as to prevent a deficiency therein.

The amendment was agreed to.

The reading was continued to line 23, on page 22.

Mr. WILLIAMS. I shall move that the proviso from line 16 to line 23 be stricken out. I do not see any good it can do except to encourage falsehood and hypocrisy. The proviso reads:

Provided, That horses and vehicles appropriated for in this act shall not be used by the commissioners for any other purpose than to visit such points within the District of Columbia as it may be necessary to visit in order to enable them to inspect or inform themselves concerning any public work or property belonging to the said District or to do any other act necessary to the administration of its affairs.

If we are going to provide these vehicles and motors and things of that sort there is no use putting these people in the attitude of going on record that they never will use them for anything except a public purpose. Of course you know they will. Of course they know beforehand they will. If a man has his horse and buggy or his automobile provided at public expense and wants to go to see his sister-in-law of a Sunday evening he is going in it, or if he wants his mother-in-law to go and see somebody she is going. I do not see any use in cumbering up the public statutes with a proviso that merely makes liars out of men. I move to strike out the proviso.

The VICE PRESIDENT. The Senator from Mississippi moves to strike out the proviso on page 22, beginning in line 16 and continuing to line 24.

The amendment was rejected.

The next amendment was, on page 23, line 12, before the word "thousand," to strike out "ten" and insert "eleven," so as to make the clause read:

For postage for strictly official mail matter, \$11,000.

The amendment was agreed to.

The next amendment was, on page 24, line 4, before the word "dollars," to insert "eight hundred," so as to read:

For purchase and maintenance, hire or livery, of means of transportation for the coroner's office and the morgue, jurors' fees, witness fees, removal of deceased persons, making autopsies, ice, disinfectants, telephone service, and other necessary supplies for the morgue, and the necessary expenses of holding inquests, including stenographic services in taking testimony, and photographing unidentified bodies, \$4,800.

The amendment was agreed to.

The next amendment was, on page 24, line 22, before the word "hundred," to strike out "one" and insert "three," so as to make the clause read:

For the enforcement of the game and fish laws of the District of Columbia, to be expended under the direction of the commissioners, \$300.

The amendment was agreed to.

The next amendment was, on page 25, line 21, after the word "horse-drawn," to insert "vehicles used for business purposes"; in line 23, before the word "dollars," to strike out "seven hundred and fifty" and insert "one thousand two hundred"; and in line 24, after the word "necessary," to insert "to be immediately available," so as to make the clause read:

For the purchase of enamel metal or leather identification number tags for horse-drawn vehicles used for business purposes and motor vehicles in the District of Columbia, \$1,200, or so much thereof as may be necessary, to be immediately available.

Mr. BRISTOW. "For the purchase of enamel metal or leather identification number tags." Are we to understand from this provision that it requires \$1,200 a year to secure tags for the automobiles and carriages that the Government is furnishing these officials? Does it require that much to tag them?

Mr. GALLINGER. It is not furnishing the officials. It includes horse-drawn vehicles for business purposes. They are likewise tagged in this District.

Mr. BRISTOW. It is to supply the tags to the business men?

Mr. GALLINGER. Yes.

Mr. BRISTOW. I did not understand it was.

Mr. GALLINGER. They paid back \$5,000 for fees last year.

Mr. BRISTOW. I did not understand it. I thought it was for tags on the automobiles furnished.

Mr. GALLINGER. Oh, no.

The amendment was agreed to.

The next amendment was, on page 26, line 9, before the word "repairs," to strike out "minor," so as to make the clause read:

For maintenance and repairs to the District of Columbia markets, \$3,500.

The amendment was agreed to.

The next amendment was, on page 26, after line 10, to insert:

The Commissioners of the District of Columbia are hereby authorized and empowered hereafter, when in their discretion it shall be deemed to the advantage of the public service, to exchange typewriters, adding machines, pianos, machinery, and other equipment, in part or full payment, for new articles of similar or improved character, credit for the value of said personal property so exchanged to be allowed on vouchers in payment for such new articles as may be purchased, the balance remaining due after said credit to be paid out of the appropriation to which said purchase is properly chargeable.

The amendment was agreed to.

The next amendment was, under the head of "Improvements and repairs," on page 26, line 24, before the word "thousand," to insert "and forty," so as to make the clause read:

Assessment and permit work: For assessment and permit work, \$240,000.

The next amendment was, on page 27, line 4, before the word "hundred," to strike out "fifty-seven thousand one" and insert "eighty-one thousand four," so as to make the clause read:

Work on streets and avenues: For work on streets and avenues named in Appendix M, Book of Estimates, 1913, \$81,400, to be expended in the discretion of the commissioners upon streets and avenues specified in the schedules named in said appendix and in the aggregate for each schedule as stated herein.

The amendment was agreed to.

The next amendment was, on page 27, line 13, before the word "hundred," to strike out "Five thousand six" and insert "Eleven thousand nine," so as to make the clause read:

Southwest section schedule: \$11,900.

The amendment was agreed to.

The next amendment was, on page 27, line 17, before the word "thousand," to strike out "Ten" and insert "Twenty-five," so as to make the clause read:

Southeast section schedule (including Pennsylvania Avenue, north side, from Thirteenth Street to Fourteenth Street, and E Street from Sixteenth Street to Seventeenth Street): \$25,000.

The amendment was agreed to.

The next amendment was, on page 27, line 19, before the word "thousand," to strike out "Ten" and insert "Thirteen," so as to make the clause read:

Northeast section schedule (including K Street from Fourth Street to Fifth Street): \$13,000.

The amendment was agreed to.

The next amendment was, at the top of page 29, to insert:

For paving the north roadway of B Street NW., between Seventeenth Street and Virginia Avenue, and Virginia Avenue NW., between B Street and Eighteenth Street, \$7,200.

The amendment was agreed to.

The next amendment was, on page 29, line 17, after the word "alleys," to strike out "when authorized by law," so as to make the clause read:

Condemnation of streets, roads, and alleys: For purchase or condemnation of streets, roads, and alleys, \$1,000.

The amendment was agreed to.

The next amendment was, on page 29, line 19, before the word "roads," to strike out "county" and insert "suburban"; in line 20, before the word "roads," to strike out "county" and insert "suburban"; and in line 22, before the word "roads," to strike out "county" and insert "suburban," so as to make the clause read:

Construction of suburban roads: For construction of suburban roads and suburban streets, to be disbursed and accounted for as "Construction of suburban roads and suburban streets," and for that purpose it shall constitute one fund, as follows.

The amendment was agreed to.

The next amendment was, on page 32, line 5, after the word "from," to strike out "Jefferson" and insert "Jackson," so as to make the clause read:

Northeast. Jackson Street, from Tenth to Twelfth Streets, and Tenth Street, from Jackson to Kearney Streets, grade and improve, \$2,800.

The amendment was agreed to.

The next amendment was, on page 32, after line 7, to insert:

Southeast. Streets in Anacostia, grade and improve, \$3,000; Northwest. Fessenden Street, Wisconsin Avenue to River Road, grade and improve, \$6,200;

Northwest. Illinois Avenue, Kennedy to Ingraham Streets, and Kennedy Street from Ninth Street to Georgia Avenue, grade and improve, \$8,700;

Northwest. Kalmia Street, from end of macadam to Rock Creek Park, grade and improve, \$10,200;

Northwest. Eighth Street, Jefferson to Longfellow Streets, grade and improve, \$2,300;

Northwest. Tilden Street, from end of asphalt to Rock Creek Park, grade and improve, \$14,500;

Northwest. Hamilton Street, Georgia Avenue to Illinois Avenue, grade and improve, \$3,000;

Northeast. Monroe Street, Fifteenth Street to Seventeenth Street, grade and improve, \$3,500;

Southeast. Twenty-third Street, Naylor Road to R Street, and R Street, Naylor Road to Twenty-second Street, grade, \$3,500;

Northeast. Hunt Place, Dean Avenue, and Grant Street, Minnesota Avenue to Division Avenue, \$5,000;

Northeast. Hamlin Street, from Rhode Island Avenue to Twentieth Street, grade and improve, \$2,600;

Northeast. Eighteenth Street, from Newton to Irving Streets, grade and improve, \$7,300;

Northeast. Seventeenth Street, from Hamlin Street to Rhode Island Avenue, grade and improve, \$7,600;

Northeast. Thirteenth Street, Rhode Island Avenue to Franklin Street, grade, \$3,400.

The amendment was agreed to.

The next amendment was, on page 33, line 23, to increase the total appropriation for the construction of suburban roads and suburban streets from \$74,725 to \$155,525.

The amendment was agreed to.

The next amendment was, on page 34, line 1, after the word "macadam," to strike out "or wood blocks"; so as to make the clause read:

Hereafter the use of bituminous macadam is authorized on streets, avenues, and roads to be improved or paved.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the repairs of streets, avenues, and alleys, on page 34, line 19, after the word "collected," to insert the following proviso:

Provided further, That the sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated, to enable the Commissioners of the District of Columbia to make a thorough investigation of the operation of municipal asphalt plants in cities where they are in operation, report to be made to Congress at the beginning of the next session. Said report shall give in detail the original cost of each plant, the annual expenditures for repairs and betterments, the output, the character and quality of pavement laid down in each case, the cost per yard, the length of time for which it is guaranteed, and shall also include an estimate of the lowest price at which the existing asphalt plant in the District of Columbia can be purchased.

Mr. GALLINGER. In line 22 of the amendment, after the words "investigation of," I move to strike out the words "the operation of." They are not necessary.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 35, line 20, before the word "thousand," to strike out "seven" and insert "ten"; so as to make the clause read:

For replacing and repairing sidewalks and curbs around public reservations and municipal buildings, \$10,000.

The amendment was agreed to.

The next amendment was, on page 35, after line 20, to insert: For new sidewalks and curbs around Patent Office, \$1,500.

The amendment was agreed to.

The next amendment was, on page 35, after line 22, to insert:

For replacing sidewalks and curbs around old Post Office Building, Seventh and Eighth, E and F Streets NW., \$2,500.

The amendment was agreed to.

The next amendment was, on page 36, line 1, before the word "roads," to strike out "county" and insert "suburban"; in line 2, before the word "roads," to strike out "county" and insert "suburban"; in line 4, after the word "purchase," to insert "or hire"; in the same line, before the word "motor," to strike out "two" and insert "four"; and in line 6, before the word "thousand," to strike out "twenty-five" and insert "fifty," so as to make the clause read:

Repairs suburban roads: For current work of repairs of suburban roads and suburban streets, including the maintenance of one motor vehicle, two motor cycles, and one truck, and purchase or hire of four motor cycles for the official use of foremen or inspectors, \$150,000, of which sum \$20,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, at the top of page 37, to insert:

For the necessary examinations, including personal services, to determine the useful life of the present bridge across Rock Creek on the line of Calvert Street NW., \$5,000, to be immediately available, and the Commissioners of the District of Columbia are hereby authorized, in their discretion, to obtain, by competition or otherwise, plans for a bridge to replace the present structure on the line of Calvert Street and to make necessary surveys, preliminary plans, and estimates for the new structure, and this appropriation shall be available for the several purposes named and for all necessary incidental expenses.

The amendment was agreed to.

The next amendment was, under the head of "Sewers," on page 37, line 24, before the word "dollars," to strike out "forty-three thousand" and insert "forty-four thousand five hundred," so as to make the clause read:

For operation and maintenance of the sewage pumping service, including repairs to boilers, machinery, and pumping stations, and the employment of mechanics, laborers, and watchman, the purchase of coal, oils, waste, and other supplies, and for the maintenance of motor trucks, \$44,500.

The amendment was agreed to.

The next amendment was, on page 38, line 2, before the word "thousand," to strike out "sixty" and insert "sixty-five," so as to make the clause read:

For main and pipe sewers and receiving basins, \$65,000.

The amendment was agreed to.

The next amendment was, on page 38, line 3, before the word "thousand," to insert "and sixty-seven," so as to make the clause read:

For suburban sewers, \$167,000.

The amendment was agreed to.

The next amendment was, on page 38, line 6, before the word "thousand," to insert "and fifty," so as to make the clause read:

For assessment and permit work, sewers, \$150,000.

The amendment was agreed to.

The next amendment was, on page 38, line 14, before the word "thousand," to strike out "thirty" and insert "fifty," so as to make the clause read:

Anacostia main interceptor: For continuing the construction of the Anacostia main interceptor along the Anacostia River between the out-fall sewer, sewage-disposal system, at Poplar Point and Benning, D. C., \$50,000.

The amendment was agreed to.

The next amendment was, under the head of "Streets," on page 38, line 19, after the word "prevention," to strike out "sweeping, and cleaning" and insert "cleaning, and snow removal," and in line 23, after the words "District of Columbia," to insert "and for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters, in the discretion of the commissioners," so as to read:

Dust prevention, cleaning, and snow removal: For dust prevention, sweeping, and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the Commissioners of the District of Columbia, and for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters, in the discretion of the commissioners.

The amendment was agreed to.

The next amendment was, in the item of appropriation for dust prevention, etc., on page 39, line 10, before the word "thousand," to strike out "forty-five" and insert "seventy-five," so as to read:

Purchase, maintenance, and repair of motor-propelled vehicles necessary in operation, and necessary incidental expenses, \$275,000, and the commissioners shall so apportion this appropriation as to prevent a deficiency therein.

The amendment was agreed to.

The next amendment was, on page 39, after line 11, to strike out:

For cleaning snow and ice from streets, sidewalks, cross walks, and gutters, in the discretion of the commissioners, including services, \$10,000.

The amendment was agreed to.

The next amendment was, on page 40, line 25, before the word "dollars," to strike out "forty-two thousand five hundred" and insert "forty-five thousand," so as to make the clause read:

Parking commission: For contingent expenses, including laborers, trimmers, nurserymen, repair men, and teamsters, cart hire, trees, tree boxes, tree stakes, tree straps, tree labels, planting and care of trees on city and suburban streets, care of trees, tree spaces, purchase and maintenance of automobile truck, and miscellaneous items, \$5,000 of which shall be immediately available for labor and for the purchase of machinery and materials to exterminate insects injurious to trees, \$45,000.

The amendment was agreed to.

The next amendment was, at the top of page 41, to insert:

For planting and care of trees in public-school grounds, \$1,500.

The amendment was agreed to.

The next amendment was, on page 41, line 4, before the word "dollars," to strike out "six hundred" and insert "seven hundred and twenty"; in line 6, before the word "dollars," to insert "two hundred and fifty"; in line 8, before the word "hundred," to strike out "two" and insert "five"; and in line 10, before the word "dollars," to strike out "two hundred and eighty" and insert "nine hundred and fifty," so as to make the clause read:

Bathing beach: For superintendent, \$720; watchman, \$480; temporary services, supplies, and maintenance, \$2,250; for repairs to buildings, pools, and the upkeep of the grounds, \$1,500, to be immediately available; in all, \$4,950.

The amendment was agreed to.

The next amendment was, on page 41, line 15, before the word "thousand," to strike out "three" and insert "four," so as to make the clause read:

Playgrounds: For maintenance, repairs, including labor, equipment, supplies, and necessary incidental and contingent expenses, \$4,000.

The amendment was agreed to.

The next amendment was, on page 41, after line 15, to insert:

For repairs and replacement of apparatus and other equipment on the playgrounds, including painting, grading, fencing, cutting grass, and resurfacing, to be immediately available so that the grounds may be fully equipped and ready for operation on July 1, 1912, \$3,000.

The amendment was agreed to.

The next amendment was, on page 42, line 3, before the word "dollars," to strike out "fifty" and insert "seventy-five"; in line 5, before the word "directors," to strike out "nine" and insert "eleven"; in line 12, before the word "assistants," to strike out "eight" and insert "nine"; in line 14, before the word "watchmen," to strike out "seven" and insert "eight"; in line 17, before the word "dollars," to strike out "fifteen thousand eight hundred and twenty-five" and insert "seventeen thousand seven hundred and eighty-five," and, in the same line, after the word "dollars," to strike out "which sum shall be paid wholly out of the revenues of the District of Columbia," so as to make the clause read:

For salaries: Clerk, \$840; supervisor, 10 months, at \$175 per month; directors, assistant directors, and watchmen, to be employed not exceeding seven months, as follows: Eleven directors, at \$75 per month each; 2 assistant directors, at \$60 per month each; 1 assistant director, at \$50 per month; 1 watchman, at \$25 per month. To be employed not exceeding three months, as follows: Seven assistant directors, at \$80 per month each; 3 assistant directors, at \$50 per month each; 5 assistants, at \$45 per month each; 9 assistants, at \$40 per month each; 2 watchmen, at \$45 per month each; and 8 watchmen, at \$45 per month each for 12 months; in all, \$17,785.

The amendment was agreed to.

The next amendment was, on page 42, line 21, before the word "dollars," to strike out "nineteen thousand eight hundred and twenty-five" and insert "twenty-five thousand seven hundred and eighty-five," so as to make the clause read:

In all, for playgrounds, \$25,785.

The amendment was agreed to.

The next amendment was, on page 43, line 1, before the word "of," to strike out "condemnation" and insert "board for condemnation," so as to make the subhead read:

Board for condemnation of insanitary buildings:

The amendment was agreed to.

The next amendment was, under the head of "Electrical department," on page 43, line 12, before the word "electrical," to strike out "three" and insert "four," so as to read:

Electrical engineer, \$2,500; assistant electrical engineer, \$2,000; 4 electrical inspectors, at \$1,200 each.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the electrical department, on page 44, line 12, before the word "hundred," to strike out "forty-six thousand four" and insert "forty-seven thousand six," so as to read:

In all, \$47,695.

The amendment was agreed to.

The next amendment was, on page 45, line 16, after the word "section," to strike out "eight" and insert "seven," so as to make the clause read:

**Lighting:** For the purchase, installation, and maintenance of public lamps, lamp-posts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, and for all necessary expenses in connection therewith, including rental of stables and storerooms, this sum to be expended in accordance with the provisions of section 7 of this act and other laws applicable thereto, every and extra labor, \$386,000.

The amendment was agreed to.

The next amendment was, on page 45, line 22, before the word "thousand," to strike out "one" and insert "two," so as to make the clause read:

For the purchase and installation of 10 fire-alarm boxes, and for the purchase and erection of the necessary poles, cross arms, insulators, pins, braces, wire, cable, conduit connections, posts, extra labor, and other necessary items, \$2,000.

The amendment was agreed to.

The next amendment was, on page 46, after line 2, to insert:

For the purchase and maintenance of one motor vehicle, with extra tires and equipment, \$2,000.

**Mr. BRISTOW.** Mr. President, I will inquire what this motor vehicle is for?

**Mr. GALLINGER.** I will say to the Senator that it is for carrying material for the electrical department to various places in the city.

**Mr. BRISTOW.** It is not an automobile, then, for the use of the officials?

**Mr. GALLINGER.** It is not an automobile of that character, I can assure the Senator.

**Mr. SMOOT.** It is to do away with horses and wagons.

**Mr. GALLINGER.** As the Senator from Utah says, it is to do away with horses and wagons.

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

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Washington Aqueduct," on page 46, line 12, before the word "thousand," to strike out "thirty-three" and insert "thirty-eight," so as to make the clause read:

For operation, including salaries of all necessary employees, maintenance, and repair of the Washington Aqueduct and its accessories, including Conduit Road, the McMillan Park Reservoir, the Washington Aqueduct tunnel, and also including the maintenance of one motor truck, horses, vehicles, and harness, and the care and maintenance of the stable, \$38,000.

The amendment was agreed to.

The next amendment was, on page 46, after line 12, to insert:

For beginning surfacing and improvement of the Conduit Road, from Foxhall Road to Great Falls, \$15,000.

The amendment was agreed to.

The next amendment was, on page 47, line 10, before the word "thousand," to strike out "eight" and insert "twelve," so as to make the clause read:

For continuing the lining of such portions of the unlined sections of the tunnels of the Washington Aqueduct as may be necessary to prevent the disintegration and fall of rock, \$12,000.

The amendment was agreed to.

The next amendment was, on page 47, after line 10, to insert:

For completing the purchase, installation, and maintenance of water meters, to be placed on the water services of the Marine Barracks, Soldiers' Home, Howard University, Freedman's Hospital, Walter Reed Hospital, and Zoological Park, and for each and every purpose connected therewith, said meters to be purchased, installed, and maintained by and remain under the observation of the officer in charge of the Washington Aqueduct, \$4,850.

The amendment was agreed to.

The next amendment was, on page 47, after line 23, to insert:

The Chief of Engineers, United States Army, is authorized and directed to transfer to the jurisdiction of the Commissioners of the District of Columbia as a public highway the strip of land 50 feet in width, designated as lots 15 and 18, square 2527, and extending from Wyoming Avenue to Kalorama Road, said lots having been purchased in connection with the construction of the Washington Aqueduct tunnel: *Provided*, That when said highway is improved the air shaft now located thereon shall be turned at a sufficient depth below the street level and brought up into a vault, to be constructed under the sidewalk.

The amendment was agreed to.

The next amendment was, under the head of "Great Falls Water Power," on page 49, line 10, after the word "project," to strike out "Provided, That the total cost of the investigation and all services authorized by this paragraph shall not exceed the sum of \$10,000," and in line 15, before the word "thousand," to strike out "ten" and insert "twenty," so as to make the clause read:

The Secretary of War is authorized and directed, through the Corps of Engineers of the United States Army, to investigate and report to Congress at the beginning of its next session on the questions of the present water supply in the District of Columbia and the sufficiency of its source at the Great Falls of the Potomac River to supply the present and future needs of the United States and of the District of Columbia for water; also the availability of the water power at said Great Falls or vicinity on the Potomac River, or between Great Falls and the District of Columbia, for the purpose of supplying light and power for uses of the United States and of the government of the District of Columbia, and to prepare complete plans, maps, specifications, and estimates for the production, distribution, and utilization of the maximum electrical power that can be economically created and employed for such uses, including street lighting in the District of Columbia; said plans, maps, and specifications shall be sufficient in detail to form the basis of a contract or contracts for the execution of the work, and the map, supplemented if necessary by a report, shall indicate all of the lands that are required to be taken or flowed and the water and water rights that are required to be taken for the purpose of the execution of the project. For expenses of this investigation and report, including all necessary expert and other personal services, there is appropriated the sum of \$20,000, or so much thereof as may be necessary.

**Mr. CUMMINS.** Mr. President, I should like to ask the Senator from New Hampshire what the showing was which led to the increase of this appropriation from \$10,000 to \$20,000.

**Mr. GALLINGER.** In the hearings, Mr. President, the engineer commissioner testified as follows:

**Maj. JUDSON.** We think that the appropriation that was in the estimates is better than this appropriation that is in the House bill. We think that the appropriation should be \$20,000 instead of \$10,000. We know it. You could not do anything worth while for \$10,000. You would not get ahead at all. You would waste \$10,000. We have already had some reports made, in times past, and they would come just up to where they had gotten before, when the \$10,000 would give out and you would not get ahead any at all. We think that the provision should come out that was inserted on the floor of the House by amendment, and that the total amount for the investigation should be \$20,000. That is a very big proposition, and \$20,000 is the least that would enable the Secretary of War to give the Chief of Engineers the proper experts and assistants to carry on this work.

That was the statement, I will say to the Senator, and further it was stated by the engineer commissioner that—

They would have to employ experts. The Corps of Engineers are not specialists on that kind of work. We know, generally, that they would have to employ experts.

**Mr. CUMMINS.** Then, it is expected that the work will be done simply under the supervision of the Corps of Engineers?

**Mr. GALLINGER.** Yes.

**Mr. CUMMINS.** It is not expected that the Corps of Engineers will themselves do the work?

**Mr. GALLINGER.** Not the special or expert part of the work.

**Mr. CUMMINS.** I thought the Army engineers were more expert than anybody else on that particular subject.

**Mr. GALLINGER.** Maj. Judson, the engineer commissioner, is a very distinguished engineer, and he states to the contrary. Furthermore, of course the engineer officers are very hard-worked men, and to-day there is a demand for more engineers rather than less.

**Mr. CUMMINS.** I can well understand that if it is the purpose to employ other engineers to do the work, the amount appropriated here may be required; but I could not understand, if the Army engineers themselves were to do it, how the expenditure could possibly be incurred.

**Mr. GALLINGER.** I think the Army engineers could not well be diverted from their usual work for work of this kind, except to supervise it.

**Mr. CUMMINS.** Is there any authority here for the employment of outside engineers?

**Mr. GALLINGER.** I think so.

**Mr. CUMMINS.** I do not see any.

**Mr. GALLINGER.** I read from the bill:

For expenses of this investigation and report, including all necessary expert and other personal services, there is appropriated the sum of \$20,000, or so much thereof as may be necessary.

I think that covers it absolutely.

**Mr. CUMMINS.** The paragraph begins:

The Secretary of War is authorized and directed, through the Corps of Engineers of the United States Army, to investigate and report to Congress.

And so forth.

Well, I will not raise the point about the amendment if it is intended that outside service shall be secured.

Mr. GALLINGER. That is undoubtedly the purpose, I will say to the Senator.

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

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Public schools," on page 49, line 26, before the word "dollars," to insert "five hundred," and on page 50, line 10, before the word "hundred," to strike out "fifty-two thousand seven" and insert "fifty-three thousand two," so as to make the clause read:

Officers: Superintendent of public schools, \$5,500; two assistant superintendents, at \$3,000 each; director of intermediate instruction, 13 supervising principals, and supervisor of manual training, 15 in all, at a minimum salary of \$2,200 each; secretary, \$2,000; clerk, \$1,400; two clerks, at \$1,000 each; clerk to carry out the provisions of the child-labor law, \$900; two stenographers, at \$840 each; messenger, \$720; in all, \$53,200.

The amendment was agreed to.

The next amendment was, on page 50, line 11, after the word "officers," to strike out "Two attendance officers, at \$600 each; attendance officer, \$900," and insert "Chief attendance officer, \$900; 2 attendance officers, at \$600 each," so as to make the clause read:

Attendance officers: Chief attendance officer, \$900; 2 attendance officers, at \$600 each; in all, \$2,100.

The amendment was agreed to.

The next amendment was, on page 50, line 17, before the word "teachers," to strike out "fifty" and insert "seventy-two," so as to make the clause read:

Teachers: For 1,772 teachers, to be assigned as follows.

The amendment was agreed to.

The next amendment was, on page 51, line 14, after the word "including," to strike out "two" and insert "three," and in line 16, before the words "in all," to strike out "sixteen" and insert "ninety-seven," so as to read:

Teachers in group A of class 6, including 3 principals of grade manual-training schools, 297 in all, at a minimum salary of \$1,000 each.

The amendment was agreed to.

The next amendment was, on page 51, line 17, after the word "each," to insert:

*Provided*, That all teachers of manual training, drawing, domestic science, domestic art, music, physical culture, and kindergarten practice teachers, in the normal, high, and manual-training high schools, and assistants to the directors of primary instruction, now in the service of the public schools and hereafter to be appointed, shall be placed in class 6, group A: *Provided further*, That the provisions contained in the acts approved May 26, 1908, and May 18, 1910, relative to the longevity placing of teachers in class 6, group A, for previous years of experience in teaching in accredited normal, high, and manual-training schools, shall not apply to any teacher now in the service of the public schools, or hereafter to be appointed, placed in said class 6, group A, by reason of this proviso; but no teacher so placed in class 6, group A, shall receive less salary than he would receive in the lower class: *And provided further*, That hereafter no teacher of any of these subjects shall be appointed without like requirements to those required of teachers of academic and scientific subjects in the high schools.

Mr. WILLIAMS. I move to strike out, in line 23, the language beginning with "*Provided further*," and continuing down to the words "lower class," in line 9, on page 52, and to substitute for it, after "group A," a comma and the following language:

At the salary in class 6, group A, next higher than the salary said teachers are now receiving in classes 4 and 5: *Provided further*, That they shall hereafter receive their annual increase in salary as provided for class 6, group A, in the act of June 8, 1906.

Mr. GALLINGER. I will ask the Senator if that means only that they shall not receive longevity for their previous years of teaching in the lower schools, but shall simply be transferred to a higher class—class 6, group A?

Mr. WILLIAMS. The committee amendment transfers them to group A, class 6.

Mr. GALLINGER. Yes.

Mr. WILLIAMS. But your amendment, beginning in line 23, on page 51, proceeds to say that they shall not have any advantage of any longevity they have already experienced.

Mr. GALLINGER. Yes; because of the years of experience of teaching in lower classes.

Mr. WILLIAMS. Yes.

Now, I have in my mind a drawing teacher in the public schools of Washington who taught my eldest daughter, who taught my eldest son, who is teaching here now, and has been teaching for 18 years. Nobody ever taught drawing better than she, and this bill, while it promotes people of her class or her experience or

her training to group A of class 6, cuts her off from all promotion due to her on account of longevity, whereas the other members of group A, class 6, are entitled to all increase of pay from longevity that may have accrued to them.

I want to say, Mr. President, that I am one of the men in the United States who has suffered from an old-fashioned education. I do not know as much about modern applied science as a 14-year-old boy ought to know. I think a teacher of drawing is more useful in a public school than a teacher of Latin. I think to train the hand and to train the eye as auxiliaries of the mind is of vast importance, a thing by the lack of which I, by the way, with very many other men, suffer.

I want the Senate to listen to the class of teachers they are. Manual-training teachers—they teach the boy to make a living by his hands and eyes after he leaves school; drawing teachers; teachers of music—music, which appeals to the ear and the soul; teachers of physical culture—that which keeps the body in perfect health.

The Senator from New Hampshire and his committee have done the justice of transferring these teachers to group A, class 6, where they ought to have been long ago.

Mr. President, I make the assertion, without any fear of intelligent contradiction, that it is very much easier to get an efficient teacher of Latin in a public school or of history or of English literature or of French or of German than it is to get an efficient teacher of drawing, free-hand or mechanical.

I make the further assertion that there is not a single pursuit in life, whether it be that of the lawyer or the electrical engineer—it makes no difference what—to the successful carrying out of which a knowledge of free-hand and mechanical drawing is not a very great aid. Even a lawyer finds it useful in a jury trial. I know that many men around here have suffered just as I have from a lack of training of the eye and the hand—training the head overmuch and leaving the eye and the hand and the ear untrained.

I hope the Senator from New Hampshire, in charge of the bill, can accept the amendment. I think he probably will.

Mr. GALLINGER. Mr. President, I am pretty well persuaded that the amendment the Senator from Mississippi has offered is all right. I think the provision in the bill substantially covers it, because we provide that no teacher shall receive less salary than he would receive in the lower class, which naturally would put him up somewhat higher.

Mr. WILLIAMS. If the Senator will pardon me, here is the part of the amendment to which I object. It says:

*Provided further*, That the provisions contained in the acts approved May 26, 1908, and May 18, 1910, relative to the longevity placing of teachers in class 6, group A, for previous years of experience in teaching in accredited normal, high, and manual-training schools, shall not apply to any teacher now in the service of the public schools.

I offer a substitute for that, and the language which follows the words "group A," on line 23, of page 51, down to the word "class" in line 9, on page 52:

At the salary in class 6, group A, next higher than the salary said teachers are now receiving in classes 4 and 5: *Provided further*, That they shall hereafter receive their annual increase in salary as provided for class 6, group A, in the act of June 8, 1906.

Mr. GALLINGER. I do not object to the Senator's amendment.

Mr. WILLIAMS. Very well.

The VICE PRESIDENT. Will the Senator from Mississippi please send his amendment to the desk, that it may be stated?

The SECRETARY. On page 51 of the committee amendment, line 23, after the letter "A," strike out—

*Provided further*, That the provisions contained in the acts approved May 26, 1908, and May 18, 1910, relative to the longevity placing of teachers in class six, group A, for previous years of experience in teaching in accredited normal, high, and manual-training schools, shall not apply to any teacher now in the service of the public schools, or hereafter to be appointed, placed in said class 6, group A, by reason of this proviso; but no teacher so placed in class 6, group A, shall receive less salary than he would receive in the lower class—

And insert:

at the salary in class 6, group A, next higher than the salary said teachers are now receiving in class 4 and 5: *Provided further*, That they shall hereafter receive their annual increase in salary as provided for class 6, group A, in the act of June 8, 1906.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Mississippi.

The amendment to the amendment was agreed to.

Mr. WILLIAMS. I suggest to the Senator from New Hampshire, in order to keep the bill symmetrical, as at present constructed, that after the word "schools" and semicolon, in line 12, this language ought to be added:

And that teachers of these subjects hereafter shall be appointed and placed in the same manner as teachers of academic and scientific subjects.

I think the Senator from New Hampshire will accept the amendment.

Mr. GALLINGER. There can be no objection to it.

The VICE PRESIDENT. Will the Senator from Mississippi send his amendment to the desk, in order that it may be stated?

The SECRETARY. On page 52, at the end of line 12, insert the following:

And that teachers of these subjects hereafter shall be appointed and placed in the same manner as teachers of academic and scientific subjects.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. GALLINGER. I desire to have placed in the RECORD a brief statement concerning the duties of these various teachers who are included in that amendment.

The VICE PRESIDENT. Without objection, the matter referred to by the Senator from New Hampshire will be inserted in the RECORD.

The matter referred to is as follows:

Department.	Number of teachers.	Additional amount required to place in class 6.	Remarks.
Drawing.....	28	\$1,860	Free-hand drawing includes work in pencil, pen, and charcoal, modeling, painting, and art metal. It covers the subjects of representation, design—both decorative and constructive—and the history of art. The free-hand drawing course in constructive design is planned to cooperate with the shops and mechanical drawing room, so that objects designed in the drawing room are made in the woodworking, forge, and art-metal shops. Bowls, tables, chairs, and desks, wrought-iron hinges, escutcheons, and door knockers; copper and brass bowls, trays, candlesticks, paper knives, and silver jewelry are some of the objects designed and made. Stenciling and embroidery are completed in the drawing room. Mechanical drawing is applied mathematics in a very practical form. The course as planned here serves as an essential preparation for college work in higher mathematics, graphics, and mechanics, and also prepares students who do not go on to college to earn their living as patent draftsmen and patent searchers in patent attorney's offices, Navy and War Departments, Bureau of Standards, and drawing rooms of the Navy Yard. The course includes projection, orthographic and isometric; machine drawing; architectural and topographical drawing, and patent drawing.
Manual training....	15	790	Woodworking includes wood turning, cabinet-making and pattern making. It teaches the use of tools, machinery, and materials. Students are taught to read working drawings and to interpret them. In wood turning, chucking, rechucking, face-plate work, polishing, and the turning of hardwoods are necessary steps in the course. Cabinetmaking covers the making and upholstering of furniture. The course in pattern making consists of exercises which emphasize each principle of the trade and bring to the knowledge of the student the physical properties of materials, such as the shrinkage of metals, etc. The course in pattern making includes a course in molding. From a technical point of view forging is an important art and furnishes a greater amount of manual training than any other of the mechanical arts. The course covers all forms of ironwork, such as drawn point, bent eye, right-angle bend, hook and staple, square and hexagonal nut, bolts, chains, flat and band welding, tongs, etc. The work in the machine shop focuses and completes the experience gained in the other departments of manual training, including forging, woodworking, mechanical and free-hand drawing—for example, the forging made in the forge shop is converted into the finished product in the machine shop. From free-hand drawing the ability is acquired to make the sketch from which a working drawing may be made in the mechanical drawing room. The work of machine shop involves the solution of problems and accurate calculations in laying off work, in setting up machines, which puts into practical use the student's knowledge of algebra, geometry, and trigonometry. The course covers work on the lathe, the shaper, universal grinding machine, drilling machine, milling machine, etc., through all the various exercises of making cylinders, tapering, rectangular block, mandrel, gear, etc.

Department.	Number of teachers.	Additional amount required to place in class 6.	Remarks.
Domestic science...	5	\$290	The teaching of domestic science includes the teaching of physics, bacteriology, and physiology: Physics— Study of air currents and heat applied to the management of stoves. Study of light applied to the lighting of houses. Study of gases; use of kerosene and gasoline. Weighing and measuring of food in terms of heat with the idea of planning meals so that the normal individual can have the kind and amount of food necessary for proper nourishment. Bacteriology— As a basis for lessons in preserving. Instructs in practical hygiene; ventilation; precautions against infection and as an application to the rules of health and right living. Physiology— Taught as a science. Applied to hygiene. Home nursing, care of patient in bed and bandaging, first aid, antidotes, care of sprains, broken bones, burns, sunstroke, drowning, etc. Preparation and serving of food.
Domestic art .....	7	380	The course in domestic art includes plain sewing, dressmaking, tailoring and millinery. It includes the study of textiles, such as cotton, silk, and wool; their source, growth, preparation for manufacture, varieties of material and adaptation. The hygiene of wearing apparel, the study of materials, suitability for use and income, economy of time in relation to buying and making are some of the values considered. The course of work is carefully designed to develop capacity for and interest in the proper management of the home. The course includes instruction in care and use of the sewing machine, practice in hand and machine work, drafting pattern, cutting and making. Exercises in basting, stitching, hemming, overcasting, etc. Millinery includes principles of hat construction, drafting, cutting, wiring and covering frames, designing of hats for different seasons. Embroidery.
Physical training...	10	730	Man being a machine, an organism, and a thinking individual, the trained physical-culture teacher chooses exercises for the effects upon his three-fold nature. Physical— Hygienic or preventive. Corrective. Recreative. Mental— Impression. Repression. Expression. Moral— Inhibition. Exhibition. The exercise when rightly planned and executed has two values, esthetic and gymnastic.
Music.....	5	395	
Kindergarten practice teachers. <sup>1</sup>	4	925	
Assistants to directors of primary instruction.	3	50	
Total.....	74	5,420	

<sup>1</sup> Kindergarten normal teachers; observe number and amount; they jump from class 3 to class 6.

Mr. GALLINGER. Also, Mr. President, a very brief plea for the teachers of domestic science and domestic art, and a list of teachers who have recently left Washington high schools for better-paying positions in other schools in the country.

The VICE PRESIDENT. Without objection, the matter referred to will be inserted in the RECORD.

The matter referred to is as follows:

PLEA FOR TEACHERS OF DOMESTIC SCIENCE AND DOMESTIC ART.

"The teachers of domestic science and domestic art are women who have taught from 9 to 22 years in the system. They are long residents of the District, residing here with their families, so are able to serve at a less wage than strangers could. If they should leave, it would be impossible to replace them with equally good teachers at the same salary; besides, justice demands that some recognition of their faithful service be made. It is the personnel of the teaching corps, the teaching ability,

and the character that must be paid for. They are, above all, teachers who come in contact with the children, must know child nature in order to discipline and mold the character of the child, which means a knowledge of psychology and pedagogy obtained only at colleges by the payment of large sums. Some of these teachers have taken courses at Columbia University in the summer vacation.

"That the McKinley School has served as a training school for New York and other places may be seen by the accompanying list, which shows that 14 teachers have left that school to better themselves financially, and their present salaries will show what other cities pay for industrial education. The highest salary attainable here is \$1,350 for the special teachers, while a glance at the list will show that the former teachers now in other cities are getting from \$2,000 to \$2,750.

"The equipment, which is the finest in the United States, is practically valueless in the hands of the cheap teacher, without considering the moral effect of the cheap teacher on the future citizen, as well as the effect on the culture of the child.

"Cooking and sewing are not the subjects taught, but domestic science and domestic art. Domestic science includes the chemistry of foods, the proper physiological combination of foods in menus, and the economics of housekeeping. Domestic art has to do with drafting of patterns, the proper combinations of colors, the application of the pupil's own designs to embroidery, and the study of textiles.

"All of this required special preparation in special schools, which these teachers have all had at great expenditure of money and energy on their part. Besides the usual academic education the teachers of domestic science must have studied pedagogy, psychology, chemistry, physics, bacteriology, botany, and physiology, such as only can be obtained in college courses.

"These teachers, in addition to their regular classes, have the same duties as the academic teachers; that is, they have charge of section rooms and are held responsible for the discipline of the school.

"Any discrimination against this class will handicap this part of the industrial education of the McKinley and Armstrong Manual Training Schools. We hear so much of the home makers these days. Shall they have cheaper teaching than the boys? While some of these girls go into business, the majority of them do not, since this is a cultural school, not a trade school. The majority of these girls are sent here for the home training in addition to the academic, as they can get all the science and more than in any of the academic high schools, and the same languages except Latin and Greek.

Teachers who have left Washington High Schools for better-paying positions.

	Present position.	Salary in Wash- ington.	New salary.	Present salary.
<b>FREE DRAWING.</b>				
Miss D. Mussey.....	Morris High School, New York City.	\$940	\$1,300	\$2,750
Mr. H. S. Michie <sup>1</sup> .....	Principal Worcester Art Museum School.	830	2,100	.....
Mr. Forest Grant <sup>1</sup> .....	High School of Commerce, New York City.	1,200	1,400	2,060
Miss Ruth Darwin.....	Illustrator, New York newspapers.	830	.....	.....
Mr. H. S. Whitbeck <sup>1</sup> .....	Art Metal Shop, Northampton, Mass.	.....	.....	.....
<b>MUSIC.</b>				
Mr. E. Tracy <sup>1</sup> .....	Morris High School, New York City.	1,000	1,300	2,180
Miss S. Mason <sup>1</sup> .....	Polytechnic High School, Los Angeles, Cal.	990	1,500	1,560
<b>MECHANICAL DRAWING.</b>				
Mr. M. Woodward <sup>1</sup> .....	Bureau Yards and Docks, Navy Department.	1,080	1,600	2,023
Mr. W. A. Olsen <sup>1</sup> .....	Electrical engineer.....	800	720	1,200
Mr. H. P. Illman <sup>1</sup> .....	Office of Supervising Architect, United States Treasury.	800	1,000	1,400
Mr. E. A. Miller <sup>1</sup> .....	Municipal architect's office, District of Columbia.	800	1,000	1,500
Mr. C. Butman <sup>1</sup> .....	Smithsonian Institution.....	830	1,080	1,200
Mr. B. W. Morse <sup>1</sup> .....	Washington Times.....	800	.....	1,500
Mr. F. A. Woodward <sup>1</sup> .....	Principal Wisconsin Avenue Manual-Training School, District of Columbia.	1,070	.....	1,150
<b>SHOPS.</b>				
Mr. F. Skinner <sup>1</sup> .....	Soldiers' Home, Hampton, Va....	1,200	2,500	3,000
Mr. J. Beall <sup>1</sup> .....	Professional baseball.....	600	(4)	2,500

<sup>1</sup> Teachers who have left the McKinley Manual-Training High School within the 10 years of its existence.

<sup>2</sup> About.

<sup>3</sup> Left position as teacher to attend college, has since graduated, and is receiving a salary higher than the majority of the teachers in the so-called special classes.

<sup>4</sup> Estimated.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 52, line 13, before the word "in," to strike out "sixty-one" and insert "fourteen," so as to make the clause read:

Teachers in class 5, 114 in all, at a minimum salary of \$950 each.

The amendment was agreed to.

The next amendment was, on page 52, line 17, before the word "in," to strike out "thirty-eight" and insert "twenty-two," so as to make the clause read:

Teachers in class 4, 422 in all, at a minimum salary of \$800 each.

The amendment was agreed to.

The next amendment was, on page 52, line 23, before the word "in," to strike out "thirty-eight" and insert "forty," so as to make the clause read:

Teachers in class 2, 340 in all, at a minimum salary of \$600 each.

The amendment was agreed to.

The next amendment was, on page 52, line 24, before the word "in," to strike out "sixty-six" and insert "sixty-eight," so as to make the clause read:

Teachers in class 1, 68 in all, at a minimum salary of \$500 each.

The amendment was agreed to.

The next amendment was, on page 53, line 2, before the word "hundred," to strike out "eight" and insert "nine," so as to make the clause read:

Special beginning teacher in the normal school, \$900.

The amendment was agreed to.

The next amendment was, on page 53, line 5, before the word "dollars," to strike out "forty-seven thousand two hundred and fifty" and insert "seventy-three thousand one hundred," so as to make the clause read:

In all, for teachers, \$1,373,100.

The amendment was agreed to.

The next amendment was, on page 53, after line 5, to insert:

No class in any year of any of the high schools at any time shall consist of less than 10 pupils: *Provided*, That the subjects usually considered as belonging to business or manual training high schools be taught only in the business or manual training high schools already established for the purpose, and that any such subjects now taught in any academic high school be abandoned.

Mr. WILLIAMS. I wish to move to strike out the words—

*Provided*, That the subjects usually considered as belonging to business or manual training high schools be taught only in the business or manual training high schools already established for the purpose, and that any such subjects now taught in any academic high school be abandoned.

I desire to call the attention of the Senate, and especially that of the Senator from New Hampshire, to my reason for making the motion. This proviso is that these several subject of manual training—stenography, typewriting, and all that sort of thing—shall not be taught in any academic high school, and if taught there now shall be abandoned and shall be taught only in the business or manual training high school.

That would do very well for the northwest, because there the people have both accessible to the pupils, but a boy or girl who wants to study stenography or typewriting or take up manual training, who lives in the east and northeast, has to go away out to the other end of town. The consequence is that in the Eastern High School they started some classes, and have had them going on right well.

I have no objection to that part of the amendment which says that no class in any of the high schools at any time shall consist of less than 10 pupils, but if it be found that a class of over 10 pupils in stenography or typewriting exists in the Eastern High School, it should be continued, and the boys and girls should not be compelled to go a couple of miles to continue the training they have already begun. I think it ought to be continued and that by this provision we ought not to strike it down.

Mr. GALLINGER obtained the floor.

Mr. NELSON. Will the Senator from New Hampshire and the Senator from Mississippi yield to me for a moment?

Mr. GALLINGER. Certainly.

Mr. NELSON. I can bear witness to the fact the Senator from Mississippi has stated. We have in the Eastern High School, which is only a few squares from where I have lived, a small class in typewriting and stenography. It would be very inconvenient for those living in that part of the town to go to the northwest, where the industrial schools are, and if the proviso which the Senator from Mississippi seeks to strike out is left in the bill it will have the effect of eliminating that small class in typewriting and stenography in the Eastern High School.

I trust the Senator from New Hampshire will accede to the suggestion of the Senator from Mississippi.

Mr. WILLIAMS. There is no doubt about the fact that it will affect that part of the population of Washington which is not its wealthiest and not the best able to take care of itself.

Mr. GALLINGER. I think we will come to an agreement on this amendment after I have made a brief statement.

What confronted the committee, and which I looked into personally, is the fact that there is an apparent disposition to crowd manual-training teaching into all our academic high schools; there is a purpose, apparently, to do that; and I think it is a mistaken purposes, if it is to be engaged in in a broad way.

Mr. WILLIAMS. Then I will change the amendment and just say that the above proviso shall not apply to the Eastern High School.

Mr. GALLINGER. No; I am going further than that. I am going to agree with the Senator.

I deprecate that for the reason that I think we ought to confine our manual training largely to the schools for that purpose, and I look with some degree of hesitancy and alarm, perhaps, to incorporating these special studies into our academic high schools.

But I know the situation in the eastern part of the city, and I have the assurance from the superintendent of schools that if this proviso goes out—and I do not object to it going out—he will take up the subject and give it very careful investigation. I therefore agree to the amendment the Senator from Mississippi proposes to the amendment.

Mr. WILLIAMS. I thank the Senator from New Hampshire. The VICE PRESIDENT. The amendment proposed by the Senator from Mississippi to the amendment will be stated.

The SECRETARY. In the committee amendment, on page 53, it is proposed to strike out, beginning in line 7, the proviso in the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 54, line 17, before the word "dollars," to strike out "three hundred thousand" and insert "dollars," to strike out "seventeen thousand five hundred" and seventy," so as to make the clause read:

Longevity pay: Longevity pay for director of intermediate instruction, supervising principals, supervisor of manual training, principals of the normal, high, and manual training schools, principals of the grade manual training schools, heads of departments, director and assistant director of primary instruction, directors and assistant directors of drawing, physical culture, music, domestic science, domestic art, and kindergartens, teachers, clerks, librarians and clerks, and librarians to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, as amended by the acts approved May 26, 1908, and May 18, 1910, \$296,770, together with the unexpended balance of \$75,878.06 of the appropriation made for "longevity pay" for the fiscal year 1911.

The amendment was agreed to.

The next amendment was, on page 55, line 5, before the word "thousand," to strike out "thirty-three" and insert "thirty-six," so as to make the clause read:

Allowance to principals: Allowance to principals of grade school buildings for services rendered as such, in addition to their grade salary, to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, \$36,000.

The amendment was agreed to.

The next amendment was, on page 55, line 20, before the word "dollars," to strike out "seventeen thousand five hundred" and insert "twenty thousand," so as to make the clause read:

Night schools: For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, \$20,000.

The amendment was agreed to.

The next amendment was, on page 56, line 4, before the word "hundred," to strike out "two" and insert "five," so as to make the clause read:

Janitors and care of buildings and grounds: Superintendent of janitors, \$1,500.

The amendment was agreed to.

The next amendment was, on page 57, line 2, before the word "dollars," to strike out "eight hundred and forty" and insert "nine hundred," and in line 5, before the word "dollars," to strike out "one thousand nine hundred and eighty" and insert "two thousand and forty," so as to make the clause read:

Franklin School, janitor, \$900; laborer, \$420; two laborers, at \$360 each; in all, \$2,040.

The amendment was agreed to.

The next amendment was, on page 57, line 16, before the word "hundred," to strike out "two" and insert "five"; in line 17, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred"; in the same

line, after the word "dollars," to strike out "assistant janitor, \$720" and insert "2 assistant janitors, at \$720 each"; and in line 22, before the word "hundred," to strike out "four thousand six" and insert "five thousand eight," so as to make the clause read:

McKinley Manual Training School, janitor, \$900; engineer and instructor in steam engineering, \$1,500; assistant engineer, \$900; 2 assistant janitors, at \$720 each; laborer, \$420; 2 laborers, at \$360 each; in all, \$5,880.

The next amendment was, on page 60, after line 3, to insert:

In the event of the absence of any engineer, assistant engineer, janitor, assistant janitor, laborer, fireman, or caretaker at any time during school sessions the board of education is hereby authorized to appoint a substitute, who shall be paid the salary of the position in which employed, and the amount paid to such substitute shall be deducted from the salary of the absent employee.

The amendment was agreed to.

The next amendment was, on page 60, line 13, before the word "dollars," to strike out "twenty thousand eight hundred and sixty" and insert "twenty-two thousand four hundred and twenty," so as to make the clause read:

In all, \$122,420.

The amendment was agreed to.

The next amendment was, on page 60, line 17, before the word "thousand," to strike out "eight" and insert "twelve," so as to make the clause read:

For care of smaller buildings and rented rooms, including cooking and manual-training schools, wherever located, at a rate not to exceed \$72 per annum for the care of each schoolroom, \$12,000.

The amendment was agreed to.

The next amendment was, on page 60, line 19, after the word "schools," to insert "one of whom shall be a woman," and in line 20, after the word "four," to insert "of whom," so as to read:

Medical inspectors: Twelve medical inspectors of public schools, one of whom shall be a woman, two of whom shall be dentists, and four of whom shall be of the colored race, at \$500 each, \$6,000.

The amendment was agreed to.

The next amendment was, on page 61, after line 4, to insert:

Nurses: Two graduate nurses, at \$900 each, \$1,800.

Mr. GALLINGER. I desire to offer an amendment to that amendment.

The VICE PRESIDENT. The amendment to the amendment will be read.

The SECRETARY. On page 61, line 6, after the word "dollars," insert the following proviso:

Provided, That said nurses shall perform their duties under the direction of the health officer and their school duties according to the rules governing the medical inspection of schools, and may perform during the summer vacation of the schools such duties as may be assigned to them by the health officer as in his judgment are not inconsistent with their school work.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 61, after line 6, to insert:

Teachers and other employees of the board of education shall be paid at the close of the school term and on the first day of every school month except September: *And provided further,* That for such purpose authority is hereby given to the auditor of the District of Columbia to compute salaries from the 25th of one month to the 25th of the succeeding month.

The amendment was agreed to.

The next amendment was, on page 62, line 2, before the word "thousand," to strike out "eighty-five" and insert "one hundred and five," so as to make the clause read:

For repairs and improvements to school buildings and grounds and for repairing and renewing heating, plumbing, and ventilating apparatus, and the installation of sanitary drinking fountains in buildings not supplied with the same, \$105,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 62, line 7, before the word "thousand," to strike out "twenty-three" and insert "twenty-seven," so as to make the clause read:

For the purchase and repair of tools, machinery, material, and books, and apparatus to be used in connection with instruction in manual training, and for incidental expenses connected therewith, \$27,500.

The amendment was agreed to.

The next amendment was, on page 62, line 16, before the word "dollars," to insert "two hundred and fifty"; in line 17, before the word "dollars," to insert "two hundred and fifty"; in line 19, before the word "thousand," to strike out "one" and insert "two"; in line 20, before the word "hundred," to strike out "three" and insert "four"; and in line 23, before the word "hundred," to strike out "five thousand two" and insert "six thousand eight," so as to make the clause read:

For furniture, including also clocks, pianos, and window shades for new school buildings, additions to buildings, kindergartens, and also tools and furnishings for manual-training, cooking, and sewing schools, as follows: One 4-room building at Burrville, \$1,250; one 4-room building at Military Road, \$1,250; one 6-room manual-training building in

the twelfth division, \$2,500; three kindergartens, \$1,000; one manual-training shop, \$400; one sewing school, \$150; one cooking school, \$300; in all, \$6,850.

The amendment was agreed to.

The next amendment was, on page 63, line 6, before the word "dollars," to strike out "forty-seven thousand five hundred" and insert "fifty thousand," so as to make the clause read:

For contingent expenses, including furniture and repairs of same, stationery, printing, ice, purchase and repair of equipment for high-school cadets, and other necessary items not otherwise provided for, including an allowance of \$300 each for livery of horse or garage of an automobile for the superintendent of schools, and for the superintendent of janitors, and including not exceeding \$1,000 for books, books of reference, and periodicals, \$50,000.

The amendment was agreed to.

The next amendment was, on page 63, line 19, before the word "thousand," to strike out "sixty-five" and insert "sixty-nine," so as to read:

For textbooks and school supplies for use of pupils of the first eight grades, who at the time are not supplied with the same, to be distributed by the superintendent of public schools under regulations to be made by the board of education of the District of Columbia, and for the necessary expenses of the purchase, distribution, and preservation of said textbooks and supplies, including one bookkeeper and custodian of textbooks and supplies, at \$1,200, and one assistant, at \$600, \$69,000.

The amendment was agreed to.

The next amendment was, on page 64, line 2, before the word "hundred," to strike out "five" and insert "eight," so as to make the clause read:

For maintenance and repairing 36 playgrounds now established, \$1,800.

The amendment was agreed to.

The next amendment was, on page 64, line 5, before the word "dollars," to insert "five hundred," so as to make the clause read:

For utensils, material, and labor, for establishment and maintenance of school gardens, \$1,500.

The amendment was agreed to.

The next amendment was, on page 64, after line 5, to insert: For the purchase of a motor car for the superintendent of schools, at a cost not exceeding \$1,500, including the hire of a driver, at not exceeding \$600 per annum, \$2,100, to be immediately available.

Mr. BRISTOW. I hope the Senator from New Hampshire will not insist upon this amendment.

Mr. GALLINGER. If the Senator from Kansas feels that it ought to go out of the bill, I will agree to it. Let the amendment be disagreed to, Mr. President.

Mr. BRISTOW. The superintendent's salary has been increased \$500, and this is in addition to his pay.

The VICE PRESIDENT. Without objection, the amendment is disagreed to.

The next amendment was, on page 64, line 15, before the word "hundred," to strike out "four" and insert "five," so as to make the clause read:

For extending the telephone system to new school buildings, including the cost of the necessary wire, cable, poles, cross arms, braces, conduit connections, extra labor, and other necessary items, to be expended under the electrical department, \$1,500.

The amendment was agreed to.

The next amendment was, on page 64, line 18, after the word "Western," to insert "Business," so as to make the clause read:

For purchase of apparatus and for extending the equipment and for the maintenance of the physics department in the Central, Eastern, Western, Business, and M Street High Schools, \$3,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 4, to insert:

For the purchase of additional ground adjacent to the Corcoran School, for the extension of said school, to be immediately available, \$11,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 7, to insert:

Toward the construction of a new Central High School building, including grading and other work necessary to prepare the site for the building, and the total cost of said building, under a contract which is hereby authorized therefor, shall not exceed \$725,000, \$250,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 13, to insert:

Toward the construction of a new (colored) M Street High School, and the total cost of said building, under a contract which is hereby authorized therefor, shall not exceed \$400,000, \$150,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 18, to insert:

The Commissioners of the District of Columbia are hereby authorized to use so much as may be necessary of any unexpended balances remaining in the appropriations for the purchase of a site for a new Central High School, and for the purchase of a site for a new M Street High School, contained in the District appropriation act for the fiscal year 1912, approved March 2, 1911, for the employment of architectural services in the preparation of plans and specifications for said schools, and for such other personal services and expenses in connection therewith as may be necessary.

The amendment was agreed to.

The next amendment was, on page 66, after line 4, to insert:

For the erection of an eight-room extensible building on the site purchased west of Soldiers' Home grounds, south of Rock Creek Road, \$66,000.

The amendment was agreed to.

The next amendment was, on page 66, after line 7, to insert:

For the construction of a four-room annex to the Takoma School, \$36,000.

The amendment was agreed to.

The next amendment was, on page 66, after line 9, to insert:

For the construction of a four-room annex to the Chevy Chase School, including grading of site, \$36,000.

The amendment was agreed to.

The next amendment was, on page 66, after line 12, to insert:

For the construction of a four-room annex to the Birney School, \$35,000.

The amendment was agreed to.

The next amendment was, on page 66, after line 14, to insert:

For the construction of a four-room annex to the Congress Heights School, \$36,000.

The amendment was agreed to.

The next amendment was, on page 66, after line 24, to strike

out:

No part of any money appropriated in this act for public schools shall be used for the tutelage or otherwise of pupils in the public schools of the District of Columbia who do not reside in said District, or who during such tutelage do not own property in and pay taxes levied by the government of the District of Columbia in excess of the estimated cost of their tuition, or whose parents do not reside or are not engaged in public duties therein, or during such tutelage pay taxes levied by the District of Columbia in excess of such estimated cost of tuition: *Provided, however,* That when a pupil or parent of a pupil is assessed upon property and pays the taxes thereon, which annual payment is less than the estimated cost of tuition, then the said payment so made for the year preceding shall be credited upon the bill for tuition for the current year.

And in lieu thereof to insert:

The board of education is hereby directed to make a careful inquiry into the matter of nonresident pupils in the public schools of the District of Columbia, report to be made at the beginning of the next session of Congress, with such recommendations as they may deem advisable.

The amendment was agreed to.

The next amendment was, under the head of "Metropolitan Police," on page 69, line 13, before the word "inspectors," to strike out "three" and insert "four," and in line 18, after the word "dollars," to strike out "three clerks at \$1,000 each," and insert "three clerks and stenographers, at \$1,080," so as to read:

Major and superintendent, \$4,000; assistant superintendent, with rank of inspectors, \$2,500; 4 inspectors, at \$1,800 each; 11 captains, at \$1,500 each; chief clerk, who shall also be property clerk, \$2,000; clerk and stenographer, \$1,500; clerk, who shall be assistant property clerk, \$1,200; 3 clerks and stenographers, at \$1,080 each.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the Metropolitan Police, on page 69, line 25, before the word "lieutenants," to strike out "thirteen" and insert "fourteen"; on page 70, line 2, before the word "sergeants," to strike out "forty-six" and insert "fifty"; in line 4, after the word "each," to insert "sergeant, who shall have charge of the local bureau of criminal identification, \$1,250"; and in line 7, before the word "privates," to strike out "twenty" and insert "twenty-two," so as to read:

Four sergeants of the police and fire departments, at \$720 each; additional compensation for 20 privates detailed for special service in the detection and prevention of crime, \$4,800, or so much thereof as may be necessary; 14 lieutenants, one of whom shall be harbor master, at \$1,320 each; 50 sergeants, one of whom may be detailed for duty in the harbor patrol, at \$1,250 each; sergeant, who shall have charge of the local bureau of criminal identification, \$1,250; 522 privates of class 3, at \$1,200 each.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the Metropolitan Police, on page 70, line 16, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred"; in line 18, before the word "hundred," to strike out "five" and insert "six"; in line 19, before the word "dollars," to strike out "forty" and insert "sixty"; in line 20, before the word "captains," to strike out "fifty-five" and insert "sixty"; in line 21, before the word "dollars," to strike out "forty" and insert "sixty"; in line 24, before the word "at," to strike out "twenty-six drivers" and insert "twenty-seven drivers or chauffeurs"; and on page 71, line 1, after the word "and," to strike out "thirty thousand dollars" and insert "fifty-one thousand four hundred and thirty dollars and fifty cents," so as to read:

Six telephone operators, at \$900 each; 14 janitors, at \$600 each; messenger, \$700; messenger, \$600; inspector, mounted, \$260; 60 captains, lieutenants, sergeants, and privates, mounted, at \$260 each; 64

lieutenants, sergeants, and privates, mounted, on bicycles, at \$50 each; 27 drivers or chauffeurs, at \$720 each; 3 police matrons, at \$600 each; in all, \$951,430.50, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 71, after line 3, to strike out:

After June 30, 1912, there shall be no appointments, except by promotion, to fill vacancies occurring in classes 1, 2, and 3 of privates in the Metropolitan police until the whole number of privates in all of said classes shall have been reduced to 640.

The amendment was agreed to.

The next amendment was, on page 71, line 16, before the word "dollars," to strike out "two hundred" and insert "three thousand," so as to make the clause read:

To aid in the support of the National Bureau of Criminal Identification, to be expended under the direction of the Commissioners of the District of Columbia, provided the several departments of the General Government may be entitled to like information from time to time as is accorded the police departments of various municipalities privileged to membership therein, \$3,000.

The amendment was agreed to.

The next amendment was, on page 71, line 22, after the word "fugitives," to insert "modern revolvers"; in line 23, after the word "directories," to insert "books of reference"; and on page 72, line 9, after the word "may," to insert "hereafter," so as to read:

For miscellaneous and contingent expenses, including the purchase of new wagons, rewards for fugitives, modern revolvers, maintenance of card system, stationery, city directories, books of reference, periodicals, telegraphing, telephoning, photographs, printing, binding, gas, ice, washing, meals for prisoners, furniture and repairs thereto, beds and bed clothing, insignia of office, purchase of horses, horse and vehicle for superintendent, bicycles, motor cycles, police equipments and repairs to the same, harness, forage, repairs to vehicles, van, and patrol wagons, motor patrol, and saddles, mounted equipments, and expenses incurred in the prevention and detection of crime, and other necessary expenses, \$34,000; of which amount a sum not exceeding \$500 may hereafter be expended by the major and superintendent of police for the prevention and detection of crime, under his certificate, approved by the Commissioners of the District of Columbia, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

The amendment was agreed to.

The next amendment was, on page 72, after line 19, to insert:

For the purchase of a site for the erection of a station house in the suburban section of the District of Columbia between the ninth and tenth police precincts, \$2,500.

The amendment was agreed to.

The next amendment was, on page 72, after line 23, to insert:

For the reconstruction of cell corridors and the making, erecting, and placing therein in the second, third, seventh, and ninth precinct station houses eight modern locking appliances, \$18,080.

The amendment was agreed to.

The next amendment was, on page 73, line 4, before the word "dollars," to strike out "forty-three thousand six hundred" and insert "sixty-four thousand one hundred and eighty," so as to make the clause read:

In all, \$64,180.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the House of Detention, on page 73, line 17, before the word "dollars," to strike out "five hundred and forty" and insert "six hundred," and in line 23, before the word "dollars," to strike out "five hundred and eighty" and insert "six hundred and forty," so as to read:

Hostler, \$600; six guards, at \$600 each; and three matrons, at \$600 each; miscellaneous expenses, including rent, forage, fuel, gas, horse-shoeing, ice, laundry, meals, horses, wagons and harness and repairs to same, and other necessary expenses, \$3,440; \$13,640, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Fire department," on page 74, line 12, before the word "battalion," to strike out "three" and insert "four," so as to read:

Chief engineer, \$3,500; deputy chief engineer, \$2,500; four battalion chief engineers, at \$2,000 each.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the fire department, on page 74, line 23, before the word "dollars," to strike out "one hundred and fifty" and insert "two hundred"; on page 75, line 3, before the word "dollars," to strike out "one hundred and fifty" and insert "two hundred"; and in line 14, before the word "dollars," to strike out "forty-eight thousand and twenty" and insert "fifty-one thousand two hundred and seventy," so as to read:

Twenty-three engineers, at \$1,200 each; 23 assistant engineers, at \$1,100 each; 2 pilots, at \$1,150 each; 2 marine engineers, at \$1,200 each; 2 assistant marine engineers, at \$1,100 each; 2 marine firemen, at \$720 each; 39 drivers, at \$1,150 each; 39 assistant drivers, at \$1,100 each; 219 privates of class 2, at \$1,080 each; 42 privates of class 1, at \$980 each; hostler, \$600; laborer, \$480; in all, \$551,270.

The amendment was agreed to.

The next amendment was, on page 75, after line 14, to insert:

Hereafter no member of the fire department shall, unless on leave of absence, go beyond the confines of the District of Columbia, or be absent from duty without permission; and leaves of absence exceeding 20 days in any one year shall be without pay, and require the consent of the commissioners, and such year shall be from January 1 to December 31, both inclusive, and 30 days shall be the term of total sick leave in any year without disallowance of pay; and leave of absence with pay of members of the fire department of the District of Columbia may be extended in cases of illness or injury incurred in line of duty, upon recommendation of the board of surgeons, approved by the Commissioners of the District of Columbia, for such period exceeding 30 days in any calendar year as in the judgment of the commissioners may be necessary.

The amendment was agreed to.

The next amendment was, on page 76, line 7, before the word "thousand," to strike out "twelve" and insert "fifteen," so as to make the clause read:

Miscellaneous: For repairs and improvements to engine houses and grounds, \$15,000.

The amendment was agreed to.

The next amendment was, on page 76, line 17, before the word "hundred," to strike out "eight" and insert "one thousand two," so as to make the clause read:

For repairs and improvements of the fire boat, \$1,200.

The amendment was agreed to.

The next amendment was, on page 76, line 23, before the word "and," to strike out "thirty thousand" and insert "thirty-three thousand four hundred," so as to make the clause read:

In all, \$133,450.

The amendment was agreed to.

The next amendment was, at the top of page 77, to insert:

For house, site, furniture, and furnishings for a truck company, to be located in the northeast section of the city, in the vicinity of Twelfth and H Streets NE., including cost of necessary instruments and connecting said house with fire-alarm headquarters, \$40,000.

The amendment was agreed to.

The next amendment was on page 77, after line 5, to insert:

For one combination fire engine and hose wagon combined, \$9,000.

Mr. GALLINGER. In line 6, after the word "wagon," let the word "combined" be stricken out.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the head of "Health department," on page 77, line 18, after the word "dollars," to strike out "chief inspector and deputy health officer" and insert "chief sanitary inspector," and in line 20, before the word "inspector," to strike out "assistant chief" and insert "chief food," so as to read:

Health officer, \$4,000; assistant health officer, who shall be a physician, and during the absence or disability of the health officer shall act as health officer and discharge the duties incident to that position, \$2,500; chief clerk and deputy health officer, \$2,500; clerk, \$1,400; five clerks, two of whom may act as sanitary and food inspectors, at \$1,200 each; three clerks, at \$1,000 each; clerk, \$720; chief sanitary inspector, \$1,800; chief food inspector, \$1,600.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the health department, on page 78, line 15, before the word "hundred," to strike out "two" and insert "five," and in line 17, before the word "hundred," to strike out "six" and insert "nine," so as to read:

Poundmaster, \$1,500; laborers, at not exceeding \$50 per month each, \$2,000; in all, \$62,920.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the enforcement of the provisions of an act to prevent the spread of contagious diseases in the District of Columbia, on page 79, line 10, before the word "dollars," to strike out "ten thousand" and insert "twelve thousand five hundred"; in line 16, before the word "dollars," to strike out "twenty-three thousand" and insert "twenty-four thousand five hundred"; and in line 17, after the word "appropriations," to strike out "shall not be paid more than six dollars per day and," so as to read:

For the prevention of communicable diseases, including salaries or compensation for personal services not exceeding \$12,500 when ordered in writing by the commissioners and necessary for the enforcement and execution of said acts, purchase and maintenance of necessary horses, wagons, and harness, rent of stables, purchase of reference books and medical journals, and maintenance of quarantine station and smallpox hospital, \$24,500: *Provided*, That any bacteriologist employed under this appropriation may be assigned by the health officer to the bacteriological examination of milk and of other dairy products and of the water supplies of dairy farms, whether such examinations be or be not directly related to contagious diseases.

The amendment was agreed to.

The next amendment was, on page 80, line 10, before the word "dollars," to insert "five hundred," so as to make the clause read:

For the enforcement of the provisions of an act to provide for the drainage of lots in the District of Columbia, approved May 19, 1896,

and an act to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906, \$1,500.

The amendment was agreed to.

The next amendment was, on page 80, line 16, before the word "hundred," to strike out "five" and insert "seven," so as to make the clause read:

For the equipment and maintenance of the bacteriological laboratory, including the purchase of reference books and scientific journals, \$700.

The amendment was agreed to.

The next amendment was, on page 80, after line 16, to insert:

For the equipment and maintenance of the chemical laboratory, including the purchase of reference books and scientific journals, \$750.

The amendment was agreed to.

The next amendment was, on page 81, line 17, before the word "dollars," to strike out "two hundred and forty" and insert "three hundred and sixty-five," and in line 18, before the word "thousand," to strike out "five" and insert "six," so as to make the clause read:

For necessary expenses of inspection of dairy farms, including amounts that may be allowed the health officer, and assistant health officer, medical inspector in charge of contagious-disease service, and inspectors assigned to the inspection of dairy farms, for the maintenance by each of a horse and vehicle, or motor vehicle, for use in the discharge of his official duties, not to exceed \$365 per annum, and other necessary traveling expenses, \$6,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 82, line 3, before the word "dollars," to strike out "one thousand five hundred" and insert "two thousand," so as to make the clause read:

For maintenance, including personal services, of the public crematory, \$2,000.

The amendment was agreed to.

The next amendment was, on page 82, after line 3, to insert:

For treatment of ponds of stagnant water, for the creation or maintenance of which the District government is responsible, so as to prevent propagation of mosquitoes therein, including payment for personal services when necessary, \$500.

The amendment was agreed to.

The next amendment was, on page 82, after line 8, to insert:

For the preparation and display, in connection with the International Congress on Hygiene and Demography, to be held in the District of Columbia, in September, 1912, of an exhibit on behalf of the District of Columbia, including personal services when necessary and authorized in writing by the commissioners and for the subsequent care and preservation of said exhibit, \$2,000.

The amendment was agreed to.

The next amendment was, under the head of "Courts," on page 83, line 11, before the word "hundred," to strike out "two" and insert "four," and in line 15, before the word "hundred," to strike out "seven" and insert "nine," so as to make the clause read:

Juvenile court: For judge, \$3,600; clerk, \$2,000; deputy clerk, who is authorized to act as clerk in the absence of that officer, \$1,400; chief probation officer, \$1,500; probation officer, \$1,200; probation officer, \$1,000; bailiff, \$700; janitor, \$540; in all, \$11,940.

The amendment was agreed to.

The next amendment was, on page 83, line 21, before the word "hundred," to strike out "two" and insert "three," so as to make the clause read:

For furniture, fixtures, and equipments, and repairs to the courthouse and grounds, \$300.

The amendment was agreed to.

The next amendment was, on page 84, after line 2, to insert:

For adding machine in clerk's office necessary in keeping financial records, \$260.

The amendment was agreed to.

The next amendment was, on page 84, line 6, before the word "dollars," to strike out "four hundred and forty" and insert "eight hundred," so as to make the clause read:

In all, \$2,800.

The amendment was agreed to.

The next amendment was, on page 84, after line 19, to insert:

For additional compensation for two judges of the municipal court, while acting for the two judges of the police court during their vacations, \$5 each for each day of actual service, \$150 each, \$300.

The amendment was agreed to.

The next amendment was, on page 85, line 9, after the word "expenses," to insert "of every kind"; and in line 10, before the word "dollars," to strike out "two hundred and fifty" and insert "five hundred," so as to make the clause read:

Miscellaneous: For printing, law books, books of reference, directories, periodicals, stationery, binding and rebinding, preservation of records, typewriters and repairs thereto, fuel, ice, gas, electric lights and power, telephone service, laundry work, removal of ashes and rubbish, mops, brooms, buckets, dusters, sponges, painters' and plumbers' supplies, toilet articles, medicines, soap and disinfectants, United States flags and halyards, and all other necessary and incidental expenses of every kind not otherwise provided for, \$2,500.

The amendment was agreed to.

The next amendment was, on page 85, line 13, before the word "dollars," to strike out "two hundred" and insert "three hundred and fifty," so as to make the clause read:

For furniture for the police court and repairing and replacing same, \$350.

The amendment was agreed to.

The next amendment was, on page 85, line 16, before the word "dollars," to strike out "twenty-five" and insert "one hundred," so as to make the clause read:

For meals of jurors and of bailiffs in attendance upon them when ordered by the court, \$100.

The amendment was agreed to.

The next amendment was, on page 85, line 17, before the word "thousand," to strike out "seven" and insert "ten," so as to make the clause read:

For compensation of jurors, \$10,000.

The amendment was agreed to.

The next amendment was, on page 85, line 18, after the word "building," to insert "to be immediately available"; and in line 19, before the word "dollars," to strike out "five hundred" and insert "seven hundred and fifty," so as to make the clause read:

For repairs to the police-court building, to be immediately available, \$750.

The amendment was agreed to.

The next amendment was, on page 85, line 21, before the word "dollars," to strike out "twelve thousand nine hundred and seventy-five" and insert "sixteen thousand seven hundred," so as to make the clause read:

In all, \$16,700.

The amendment was agreed to.

The next amendment was, on page 85, line 24, after the word "each," to insert "messenger, \$600"; and on page 86, line 1, before the word "hundred," to strike out "seventeen thousand six" and insert "eighteen thousand two," so as to make the clause read:

Municipal court: For 5 judges, at \$2,500 each; clerk, \$1,500; 3 assistant clerks, at \$1,000 each; messenger, \$600; janitor, \$600; in all, \$18,200.

The amendment was agreed to.

The next amendment was, on page 86, line 7, before the word "dollars," to strike out "seven hundred and fifty" and insert "eight hundred," so as to make the clause read:

For contingent expenses, including books, law books, books of reference, fuel, light, telephone, blanks, dockets, and all other necessary miscellaneous items and supplies, \$800.

The amendment was agreed to.

The next amendment was, on page 86, line 9, before the word "dollars," to strike out "nineteen thousand eight hundred and fifty" and insert "twenty thousand five hundred," so as to make the clause read:

In all, for the municipal court, \$20,500.

The amendment was agreed to.

The next amendment was, under the head of "Emergency fund," on page 87, line 2, after the word "for," to insert "in the discretion of the Commissioners of the District of Columbia," and in line 7, after the word "rejected," to insert "and new bids received or the purchases made in open market, as may be most economical and advantageous to the District of Columbia: *Provided further*, That hereafter formal written contracts with bond for work or the purchase of supplies and materials for the District of Columbia shall be required only in cases where the cost of such work or supplies or materials exceeded the sum of \$1,000," so as to make the clause read:

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood or fire, and of like character, and in all cases of emergency not otherwise sufficiently provided for, in the discretion of the Commissioners of the District of Columbia, \$8,000: *Provided*, That in the purchase of all articles provided for in this act no more than the market price shall be paid for any such articles, and all bids for any of such articles above the market price shall be rejected, and new bids received or the purchases made in open market, etc.

The amendment was agreed to.

The next amendment was, under the subhead of "Reformatories and correctional institutions," on page 90, line 11, before the word "dollars," to strike out "and eighty" and insert "two hundred," and in line 14, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred," so as to read:

Washington Asylum and Jail: Superintendent, \$1,800; visiting physician, \$1,200; resident physician, \$480; clerk, \$840; engineer, \$900; 3 assistant engineers, at \$600 each.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the Washington Asylum and Jail, on page 91, line 3, before the word "orderlies," to strike out "six"

and insert "seven"; in line 16, before the word "ward," to strike out "six" and insert "seven"; and, in line 19, before the word "dollars," to strike out "and fifteen" and insert "nine hundred and seventy-five," so as to read:

Two nurses for annex wards, at \$480 each; 7 orderlies, and 2 orderlies for annex wards, at \$300 each; pupil nurses, not less than 21 in number (nurses to be paid not to exceed \$120 per annum during first year of service and not to exceed \$150 per annum during second year of service); registered pharmacist, who shall act as hospital clerk, \$720; gardener, \$540; seamstress, and housekeeper, at \$300 each; laundryman, \$600; assistant laundryman, \$365; 6 laundresses, at \$360 each; 2 chambermaids, 3 waiters, and 7 ward maids, at \$180 each; temporary labor, not to exceed \$1,200; in all, \$27,975.

The amendment was agreed to.

The next amendment was, on page 91, line 24, before the word "thousand," to strike out "thirty-four" and insert "thirty-five," so as to make the clause read:

For provisions, fuel, forage, harness and vehicles and repairs to same, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, \$35,000.

The amendment was agreed to.

The next amendment was, on page 92, line 4, before the word "dollars," to strike out "one thousand five hundred" and insert "two thousand," so as to make the clause read:

For repairs to buildings, plumbing, painting, lumber, hardware, cement, lime, oil, tools, cars, tracks, steam heating and cooking apparatus, \$2,000.

The amendment was agreed to.

The next amendment was, on page 92, after line 8, to insert: For hospital furnishings, including bedsteads, mattresses, ward and bedside tables and chairs, \$1,000.

The amendment was agreed to.

The next amendment was, on page 93, line 2, before the word "thousand," to strike out "forty-one" and insert "forty-two," so as to make the clause read:

Support of prisoners: For expenses for maintenance of jail prisoners of the District of Columbia at the Washington Asylum and Jail, including pay of guards and all other necessary personal services, and for support of prisoners therein, \$42,000.

The amendment was agreed to.

The next amendment was, on page 93, after line 7, to insert: The superintendent of the Washington Asylum and Jail appointed by the Commissioners of the District of Columbia, be, and he is hereby, directed, authorized, and required to execute the judgments of the law heretofore pronounced and hereafter to be pronounced in the District of Columbia by the courts thereof in all capital cases.

The amendment was agreed to.

The next amendment was, on page 93, after line 13, to insert: The Commissioners of the District of Columbia are hereby authorized, under such regulations as they may prescribe, to sell to the various departments and institutions of the government of the District of Columbia the products of said workhouse, and all moneys derived from such sales shall be paid into the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 93, line 24, before the word "dollars," to strike out "ten thousand five hundred and fifteen" and insert "fourteen thousand nine hundred and seventy-five," so as to make the clause read:

In all, under Washington Asylum and Jail, \$114,975.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the Home for the Aged and Infirm, on page 94, line 3, before the word "dollars," to strike out "two hundred" and insert "three hundred and twenty," so as to read:

Home for the Aged and Infirm: Superintendent, \$1,320.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the Home for the Aged and Infirm, on page 94, line 16, after the word "driver," to insert "and one laundress," and in line 21, before the word "dollars," to strike out "one hundred and seventy-two" and insert "five hundred and thirty-two," so as to read:

One seamstress, one hostler and driver, and one laundress, at \$240 each; three servants, at \$144 each; temporary labor, \$1,000; in all, \$15,532.

The amendment was agreed to.

The next amendment was, on page 95, line 4, before the word "dollars," to strike out "one thousand five hundred" and insert "three thousand," so as to make the clause read:

For repairs and improvements to buildings and grounds, \$3,000.

The amendment was agreed to.

The next amendment was, on page 95, after line 6, to insert: For additional amount for extension of colored men's ward and of dining room, \$6,000.

The amendment was agreed to.

The next amendment was, on page 95, line 16, before the word "dollars," to strike out "forty-five thousand eight hundred and

seventy-two" and insert "fifty-three thousand seven hundred and thirty-two," so as to make the clause read:

In all, for Home for Aged and Infirm, \$53,732.

The amendment was agreed to.

The next amendment was, on page 96, after line 24, to insert: For a separate building in cottage form, exclusively for white girls, \$20,000.

Mr. GALLINGER. I offer a substitute for that amendment. The VICE PRESIDENT. It will be read.

The SECRETARY. In lieu of the committee amendment insert: For a separate building in cottage form, exclusively for white girls, including architect's fees, under a contract to be made by the board of trustees, \$20,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 97, line 2, before the word "thousand," to strike out "eighty-two" and insert "one hundred and two," so as to make the clause read:

In all, for Reform School for Girls, \$102,960.

The amendment was agreed to.

The next amendment was, on page 97, after line 2, to insert: From and after the passage of this act the Reform School for Girls of the District of Columbia shall be known and designated as the National Training School for Girls.

The amendment was agreed to.

The next amendment was, under the subhead "Medical charities," on page 97, line 9, before the word "thousand," to strike out "thirty-four" and insert "thirty-five," so as to make the clause read:

For the care and treatment of indigent patients, under a contract to be made with the Freedmen's Hospital by the Board of Charities, \$35,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 97, line 15, after the word "Treasury," to strike out "one-half to the credit of the United States and one-half to the credit of the District of Columbia" and insert "to the credit of Freedmen's Hospital, to be disbursed under the supervision of the Secretary of the Interior for salaries, subsistence, fuel and light, clothing, bedding, forage, medicine, medical and surgical supplies, surgical instruments, repairs, furniture, and other absolutely necessary expenses incident to the management of the hospital. A report as to the expenditure thereof to be made annually to Congress," so as to make the clause read:

Hereafter patients may be admitted to Freedmen's Hospital for care and treatment on the payment of such reasonable charges therefor as the Secretary of the Interior shall prescribe. All money so collected shall be paid into the Treasury, to the credit of Freedmen's Hospital, to be disbursed, etc.

The amendment was agreed to.

The next amendment was, on page 97, after line 23, to strike out:

To enable the Board of Charities, by contract or agreement, to provide care and treatment for indigent patients: *Provided*, That no part of this sum shall be used to establish or maintain any hospital not now existing in the District of Columbia, \$20,000.

And to insert:

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

The amendment was agreed to.

The next amendment was, on page 98, after line 7, to insert: For repairs to Columbia Hospital, \$2,000.

The amendment was agreed to.

The next amendment was, on page 98, after line 8, to insert: For re-covering awnings on main buildings, \$250.

The amendment was agreed to.

The next amendment was, on page 98, after line 10, to insert:

For the preparation of plans, estimates, and specifications for a modern fireproof hospital building or buildings for the treatment of diseases peculiar to women and a lying-in asylum, in accordance with the provisions of the act approved June 10, 1872 (17 Stats., 360), to be erected on the site belonging to the United States, to replace the present building of the Columbia Hospital for Women and Lying-in Asylum, \$5,000.

The amendment was agreed to.

The next amendment was, on page 98, line 22, before the word "thousand," to strike out "fourteen" and insert "fifteen," so as to make the clause read:

For the care and treatment of indigent patients, under a contract to be made with the Children's Hospital by the Board of Charities, not to exceed \$15,000.

The amendment was agreed to.

The next amendment was, on page 99, line 2, before the word "dollars," to insert "five hundred," so as to make the clause read:

For the care and treatment of indigent patients, under a contract to be made with the National Homeopathic Hospital Association by the Board of Charities, not to exceed \$5,500.

The amendment was agreed to.

The next amendment was, on page 90, after line 7, to insert: Toward the construction of a new building for the Central Dispensary and Emergency Hospital, to be erected on the site recently purchased by said hospital, \$100,000.

The amendment was agreed to.

The next amendment was, under the subhead "Child-caring institutions," on page 101, line 8, after the words "city directory," to insert "purchase of books of reference and periodicals not exceeding \$25," so as to make the clause read:

Board of children's guardians: For administrative expenses, including expenses in placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding \$25, and all office and sundry expenses, \$2,500.

The amendment was agreed to.

The next amendment was, on page 101, line 21, before the word "dollars," to strike out "sixteen thousand" and insert "seventeen thousand five hundred," so as to make the clause read:

For maintenance of feeble-minded children (white and colored), \$17,500.

The amendment was agreed to.

The next amendment was, on page 102, line 6, before the word "hundred," to strike out "seventy thousand eight" and insert "seventy-two thousand three," so as to make the clause read:

In all, for board of children's guardians, \$72,380.

The amendment was agreed to.

The next amendment was, on page 102, line 26, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred"; on page 103, line 5, after the word "each," to insert "assistant laundress, \$180; and for temporary services, not to exceed \$500"; and in line 7, before the word "hundred," to strike out "six thousand nine" and insert "seven thousand seven," so as to make the clause read:

Industrial Home School for Colored Children: Superintendent, \$1,200; matron of school, \$480; two caretakers, two assistant caretakers, and one sewing teacher, at \$360 each; two teachers, at \$480 each; manual training teacher, \$600; farmer, \$480; blacksmith and wheelwright, \$480; one stableman, and one watchman, at \$300 each; one cook, and one laundress, at \$240 each; assistant laundress, \$180; and for temporary services, not to exceed \$500; in all, \$7,760.

The amendment was agreed to.

The next amendment was, on page 103, line 16, before the word "hundred," to strike out "eight" and insert "one thousand two," so as to make the clause read:

For repairs and improvements to buildings and grounds, \$1,200.

The amendment was agreed to.

The next amendment was, on page 103, after line 16, to insert:

For repairing barn, \$500.

The amendment was agreed to.

The next amendment was, on page 103, line 19, before the word "hundred," to strike out "fifteen thousand seven" and insert "seventeen thousand four," so as to read:

In all, for Industrial Home School for Colored Children, \$17,410.

The amendment was agreed to.

The next amendment was, on page 104, line 15, before the word "dollars," to strike out "fifteen thousand" and insert "sixteen thousand five hundred," so as to make the clause read:

For maintenance, including purchase and care of horse, wagon, and harness, \$16,500.

The amendment was agreed to.

The next amendment was, on page 104, line 17, before the word "dollars," to strike out "five hundred" and insert "seven hundred and fifty," so as to make the clause read:

For repairs and improvements to buildings and grounds, \$1,750.

The amendment was agreed to.

The next amendment was, on page 104, line 20, before the word "dollars," to strike out "twenty-five thousand one hundred and twenty" and insert "twenty-six thousand eight hundred and seventy," so as to make the clause read:

In all, for the Industrial Home School, \$26,870.

The amendment was agreed to.

The next amendment was, under the subhead "Temporary Homes," on page 105, line 11, before the word "dollars," to strike out "three hundred and sixty" and insert "four hundred and eighty"; and in line 15, before the word "dollars," to strike out "three thousand eight hundred and ninety," and insert "four thousand and ten," so as to make the clause read:

Municipal lodging house and wood and stone yard, namely: Superintendent, \$1,200; cook, \$360; foreman, \$480; night watchman for 6 months, at \$25 per month, \$150; maintenance, \$1,820; in all, \$4,010.

The amendment was agreed to.

The next amendment was, on page 105, line 22, after the words "District of Columbia," to insert "and ex-soldiers and

sailors of the Spanish War and the War with Mexico shall also be admitted to the home," so as to make the clause read:

Temporary Home for ex-Union Soldiers and Sailors, Grand Army of the Republic, namely: Superintendent, \$1,200; janitor, \$360; cook, \$360; maintenance, \$4,000; in all, \$5,920; to be expended under the direction of the Commissioners of the District of Columbia; and ex-soldiers and sailors of the Spanish War and the War with Mexico shall also be admitted to the home.

The amendment was agreed to.

The next amendment was, on page 107, line 13, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred," so as to make the clause read:

Workhouse—For the following now employed or authorized under the appropriation for the workhouse, namely: Administration—superintendent, \$2,500; chief clerk, \$1,200; assistant superintendent, \$900; stenographer, \$720; stenographer and officer, \$600.

The amendment was agreed to.

The next amendment was, on page 107, line 20, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred"; and in line 21, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred," so as to make the clause read:

Operation: Foreman, sawmill, \$900; foreman, construction, \$900; foreman, stone-crushing plant, \$900; chief engineer and electrician, \$900; superintendent brick kiln, \$1,500; clay worker, \$600; superintendent tailor shop, \$600.

The amendment was agreed to.

The next amendment was, on page 108, line 1, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred"; in line 7, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred"; and in line 14, before the word "dollars," to strike out "fifty-four thousand eight hundred and thirty" and insert "fifty-five thousand four hundred and ninety," so as to make the clause read:

Maintenance: Physician, \$1,350; superintendent of clothing and laundry, \$720; storekeeper, \$660; steward, \$900; stewardess, \$600; veterinary and officer, \$780; captain of guards, \$1,200; captain of the night watch, \$900; receiving and discharging officer, \$1,000; receiving and discharging officer, \$900; superintendent laundry, \$600; 32 day guards, at \$660 each; 15 night guards, at \$600 each; 2 day officers, at \$480 each; 4 night officers, at \$480 each; care of Belvoir tract, \$180; hospital nurse, \$480; in all, \$55,490.

The amendment was agreed to.

The next amendment was, on page 108, line 18, after the word "prisoners," to insert "reward for fugitives"; and in line 24, after the word "transportation," to insert "and means of transportation, including salary of captain of boat, at \$900 per annum, and of a fireman, at \$840 per annum," so as to make the clause read:

For the maintenance and operation of the District of Columbia Workhouse at Occoquan, Va., including the superintendence, custody, clothing, guarding, maintenance, care, and support of prisoners; rewards for fugitives, provisions, subsistence, medicine and hospital instruments, furniture, and quarters for guards and other employees and inmates; the operation of plants, including machinery, material, and purchase of tools and equipment; the purchase and maintenance of farm implements, live stock, tools, equipment, and miscellaneous items; transportation and means of transportation, including salary of captain of boat, at \$900 per annum, and of a fireman, at \$840 per annum; maintenance and operation of means of transportation; and supplies and personal services, and all other necessary items, \$75,000.

The amendment was agreed to.

The next amendment was, on page 109, line 10, after the word "barges," to insert "and other miscellaneous items"; and in line 11, before the word "thousand," to strike out "thirty" and insert "thirty-seven," so as to make the clause read:

To duplicate water pump, cement for construction and repair work, erecting cow barn, wagon sheds, blacksmith and repair shops, buildings to house pumps and machinery, enlargement of brick plant, hoisting machinery for unloading barges at dock, and repairs for tugboats and barges, and other miscellaneous items, \$37,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 109, line 13, before the word "thousand," to strike out "two" and insert "fifteen"; in line 15, before the word "dollars," to strike out "ten thousand" and insert "seventeen thousand five hundred"; and in line 16, before the word "dollars," to strike out "twelve thousand" and insert "thirty-two thousand five hundred," so as to make the clause read:

For fuel for maintenance, \$15,000; fuel for manufacturing and construction, \$17,500; in all, \$32,500.

The amendment was agreed to.

The next amendment was, on page 109, after line 16, to insert: For the purchase or construction of a suitable boat to operate between the workhouse and the District of Columbia, by contract or otherwise, as the commissioners in their discretion may deem most advantageous for the public service, \$15,000.

The amendment was agreed to.

The next amendment was, on page 109, line 24, before the word "dollars," to strike out "one hundred and seventy-one thousand eight hundred and thirty," and insert "two hundred

and fourteen thousand nine hundred and ninety," so as to make the clause read:

In all, for workhouse, \$214,000.

The amendment was agreed to.

The next amendment was, under the head of "Militia of the District of Columbia," on page 110, line 14, before the word "dollars," to strike out "twenty-five thousand" and insert "twenty-seven thousand five hundred," so as to make the clause read:

For expenses of camps, including hire of horses for officers required to be mounted, and such hire not to be deducted from their mounted pay, instruction, practice marches and practice cruises, drills, and parades, fuel, light, heat, care and repair of armories, offices, and storehouses, practice ships, boats, machinery, and dock, dredging alongside of dock, telephone service, and for general incidental expenses of the service, \$27,500.

The amendment was agreed to.

The next amendment was, on page 110, after line 14, to insert:

For lockers, furniture, and gymnastic apparatus for armories, \$1,000.

The amendment was agreed to.

The next amendment was, on page 110, line 22, before the word "dollars," to strike out "one thousand five hundred" and insert "two thousand," so as to make the clause read:

For printing, stationery, and postage, \$2,000.

The amendment was agreed to.

The next amendment was, on page 110, line 25, before the word "dollars," to insert "two hundred and fifty," so as to make the clause read:

For cleaning and repairing uniforms, arms, and equipments, and contingent expenses, \$2,250.

The amendment was agreed to.

The next amendment was, on page 111, line 5, before the word "target," to strike out "rifle," and in line 6, before the word "dollars," to insert "two hundred and fifty," so as to make the clause read:

For expenses of target practice and matches, \$1,250.

The amendment was agreed to.

The next amendment was, on page 111, after line 6, to strike out:

For pay of officers, enlisted men, and bandsmen, as authorized by law, \$24,000.

The amendment was agreed to.

The next amendment was, on page 111, after line 8, to insert:

For pay of troops, other than Government employees, to be disbursed under the authority and direction of the commanding general, \$24,000.

The amendment was agreed to.

The next amendment was, on page 113, after line 18, to insert:

KLINGLE VALLEY PARK AND HIGHWAY.

The Commissioners of the District of Columbia be, and they are hereby, authorized and directed to acquire for a park, by purchase or condemnation, the land that may be necessary to preserve the Klingle Road Valley, comprising 28½ acres, as shown on plans filed in the office of the Engineer Commissioner of the District of Columbia, at an expense not exceeding \$250,000, and for that purpose the sum of \$250,000 is hereby appropriated. If said commissioners shall be unable to purchase said land at a price deemed by them to be reasonable, and not exceeding the sum of \$250,000, then they shall proceed to acquire said land in the manner prescribed for providing a site for an addition to the Government Printing Office in so much of the act approved July 1, 1898, as is set forth on pages 648 and 649 of Volume XXX of the Statutes at Large, and for the purposes of said acquisition the Commissioners of the District of Columbia shall have and exercise all powers conferred upon the Public Printer in said act.

For the improvement of Klingle Valley Park, including the employment of personal services in preparing the plans therefor, and for all purposes in connection with said improvement, \$40,000.

Mr. WORKS. Mr. President, I call attention to the proposed amendment of the committee, commencing with line 19, on page 113, and extending down to line 11 on page 118, and I make the point of order that it is general legislation. I do so not only because I think it is improper legislation to carry into an appropriation bill, but for the further reason that I am informed that there is no crying need or demand for this land at the present time and that the amount appropriated is in excess of its real value.

Mr. GALLINGER. I hardly agree with the Senator from California as to the amount appropriated being in excess of the real value of the land, but the point of order is doubtless well taken, and it will not be controverted.

The VICE PRESIDENT. The point of order is sustained.

Mr. WORKS. The amendment extends to line 11 on page 118.

The VICE PRESIDENT. The point of order is raised, as the Chair understands, to the amendment ending on page 114, line 19.

Mr. WORKS. No; the point of order was on the amendment down to line 11, on page 118.

The VICE PRESIDENT. That portion of the bill has not yet been read.

Mr. WORKS. No; none of it has yet been read. I simply call attention to it, and make the point of order. The Senator from New Hampshire [Mr. GALLINGER] wanted to say something about it, I believe.

The VICE PRESIDENT. It seems to the Chair that there are various provisions in that portion of the bill. The Chair has not looked at the bill closely, but looking at the first provision there seems to be no doubt that it is obnoxious to the rule. In relation, however, to Rock Creek Park, and so forth, the Chair can not tell until he has read the provision whether or not it is in order.

Mr. WORKS. It may be read, and then it can be determined whether or not the point of order is well taken.

The SECRETARY. On page 114, after line 19, the Committee on Appropriations reported an amendment:

ROCK CREEK DRIVE AND LOVERS' LANE.

For grading and improving Rock Creek Drive and Lovers' Lane, between Massachusetts Avenue and R Street NW., \$9,500.

Mr. WORKS. That certainly is not within the point I made, Mr. President.

The VICE PRESIDENT. No; the Chair thinks that is in order.

Mr. WORKS. Let the point of order be limited, then, to the amendment ending on line 19, page 114.

The VICE PRESIDENT. On the amendment down to line 19, on page 114, the point of order is sustained.

The question now is on the amendment, which has been stated, inserting the provision for Rock Creek Drive, and so forth, from line 20 to line 23, inclusive, on page 114.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 114, after line 23, to insert:

Under and in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, the Commissioners of the District of Columbia are authorized and directed to institute in the Supreme Court of the District of Columbia a proceeding in rem to condemn the land that may be necessary to extend Rock Creek Drive NW., from Massachusetts Avenue southerly to Montrose Park, and to condemn any private interest in the land in Lovers' Lane lying between land taxed as parcels thirty-nine and thirty-nine-eleven, and Montrose Park from T Street southerly to R Street NW., as shown on plans filed in the office of the engineer commissioner of the District of Columbia: *Provided, however,* That the entire amount found to be due and awarded by the jury in said proceedings as damages for and in respect of the land to be condemned as provided for herein plus the costs and expenses of the proceedings hereunder shall be assessed by the jury as benefits.

There is hereby appropriated entirely out of the revenues of the District of Columbia the sum of \$15,000 to pay the cost and expenses of the condemnation proceedings taken pursuant hereto and for the payment of the amounts awarded as damages, the amounts assessed as benefits, when collected, to be repaid to the District of Columbia to the credit of the revenues of said District: *Provided further,* That the Chief of Engineers, United States Army, is hereby directed to transfer to the jurisdiction of the Commissioners of the District of Columbia for highway purposes so much of Montrose Park as they may deem necessary for the connecting highway herein authorized.

Mr. GALLINGER. I move an amendment to the committee amendment. In line 17, on page 115, I move to strike out the words "the sum of \$15,000" and to insert in lieu thereof "a sum sufficient."

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 115, line 17, after the name "Columbia," it is proposed to strike out the words "the sum of \$15,000" and to insert "a sum sufficient."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 116, after line 2, to insert:

FORT DAVIS AND FORT DUPONT PARKS, ETC.

The Commissioners of the District of Columbia are hereby authorized and directed to prepare a highway plan to change the location and width of Alabama Avenue SE., between Pennsylvania Avenue and Hillside Road, and to make such changes in the location of intersecting streets as may be necessary to provide proper connection with the new location of Alabama Avenue: *Provided further,* That under and in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, the Commissioners of the District of Columbia are authorized and directed to institute in the Supreme Court of the District of Columbia a proceeding in rem to condemn the land that may be necessary to preserve the sites of Fort Davis and Fort Dupont for park purposes, and to provide a connecting highway between these sites by widening Alabama Avenue to 150 feet, comprising in all approximately 41.25 acres of land, as shown on plans filed in the office of the Engineer Commissioner of the District of Columbia.

There is hereby appropriated an amount sufficient to pay the necessary costs and expenses of said condemnation proceedings taken pursuant hereto, and for the payment of amounts awarded as damages: *Provided, however,* That of the amount found to be due and awarded by the jury in said proceedings as damages for and in respect of the land to be taken in the condemnation proceedings herein authorized plus the costs and expenses of the proceedings, not less than one-third and all in excess of \$21,334 shall be assessed by the jury as benefits, which

when collected shall be covered into the Treasury of the United States to the credit of the revenues of the District of Columbia and the United States in equal parts.

Mr. GALLINGER. For that amendment I offer a substitute. The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to strike out the amendment of the committee, on page 116, lines 5 to 25, inclusive, and on page 117, lines 1 to 11, inclusive, and to insert in lieu thereof the following:

The Commissioners of the District of Columbia be, and they are hereby, authorized and directed to prepare a highway plan to change the location and width of Alabama Avenue SE., between Pennsylvania Avenue and Hillside Road, and to make such changes in the location of intersecting streets as may be necessary to provide a proper connection with the new location of Alabama Avenue; and they are further authorized and directed to acquire for a park, by purchase or condemnation, the land that may be necessary to preserve the sites of Fort Davis and Fort Dupont for park purposes, and to provide a connecting highway between these sites by widening Alabama Avenue to 150 feet, comprising in all approximately 41.25 acres of land, as shown on plans filed in the office of the engineer commissioner of the District of Columbia, at an expense not exceeding \$32,000, and for that purpose the sum of \$32,000 is hereby appropriated. If said commissioners shall be unable to purchase said land at a price deemed by them to be reasonable, and not exceeding the sum of \$32,000, then they shall proceed to acquire said land in the manner prescribed for providing a site for an addition to the Government Printing Office in so much of the act approved July 1, 1898, as is set forth on pages 648 and 649 of volume 30 of the Statutes at Large, and for the purposes of said acquisition the Commissioners of the District of Columbia shall have and exercise all powers conferred upon the Public Printer in said act.

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

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 117, after line 11, to insert:

MOUNT HAMILTON PARK.

The Commissioners of the District of Columbia be, and they are hereby, authorized and directed to acquire by condemnation, under and in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, for park purposes, the tract of land situated at and in the vicinity of Mount Hamilton, or Mulliken Hill, lying east of Bladensburg Road, north of M Street east, west of Twenty-sixth Street east, and south of the District of Columbia school property and Q Street east, containing approximately 81 acres, as shown on plat on file in the office of the engineer commissioner of the District of Columbia. There is hereby appropriated an amount sufficient to pay the necessary costs and expenses of said condemnation proceedings taken pursuant hereto, and for the payment of amounts awarded as damages: *Provided, however*, That if the amount found to be due and awarded by the jury in said proceedings as damages for and in respect of the land to be taken in the condemnation proceedings herein authorized, plus the costs and expenses of the proceedings, not less than one-third and all in excess of \$60,000, shall be assessed by the jury as benefits, which when collected shall be covered into the Treasury of the United States to the credit of the revenues of the District of Columbia and the United States in equal parts.

Mr. GALLINGER. I submit a substitute for that amendment, to come in after the heading.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to strike out the amendment of the committee on page 117, lines 13 to 25, inclusive, and on page 118, lines 1 to 11, inclusive, and to insert in lieu thereof the following:

The Commissioners of the District of Columbia be, and they are hereby, authorized and directed to acquire for a park, by purchase or condemnation, the tract of land situated at and in the vicinity of Mount Hamilton, or Mulliken Hill, lying east of Bladensburg Road, north of M Street east, west of Twenty-sixth Street east, and south of the District of Columbia school property and Q Street east, containing approximately 81 acres, as shown on plat on file in the office of the Engineer Commissioner of the District of Columbia, at an expense not exceeding \$90,000; and for that purpose the sum of \$90,000 is hereby appropriated. If said commissioners shall be unable to purchase said land at a price deemed by them to be reasonable and not exceeding the sum of \$90,000, then they shall proceed to acquire said land in the manner prescribed for providing a site for an addition to the Government Printing Office in so much of the act approved July 1, 1898, as is set forth on pages 648 and 649 of volume 30 of the Statutes at Large; and for the purposes of said acquisition the Commissioners of the District of Columbia shall have and exercise all powers conferred upon the Public Printer in said act.

Mr. WORKS. Mr. President, I should like to inquire of the Senator from New Hampshire what particular change is made by this proposed amendment to the amendment?

Mr. GALLINGER. The substantial change is this: Never in previous legislation have we assessed benefits when we establish parks, but the bill provided for the assessment of benefits, while the substitute does not make such provision.

Mr. WORKS. The amendment and the amendment to the amendment evidently fall within the point of order that I made a little while back, that they provide general legislation.

The VICE PRESIDENT. There is no question about it being a legislative provision in the mind of the Chair. Does the Senator make that point?

Mr. WORKS. Yes, sir; I do.

Mr. GALLINGER. Very well; it is a small matter.

The VICE PRESIDENT. The point of order is sustained.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Water department," on page 118, line 19, before the word "hundred," to strike out "five" and insert "seven"; and in line 21, before the word "meter," to strike out "three" and insert "four," so as to make the clause read:

For revenue and inspection branch: Water registrar, who shall also perform the duties of chief clerk, \$2,400; clerks—1 at \$1,700, 1 at \$1,200, 2 at \$1,000 each; index clerk, \$1,400; 4 meter computers, at \$1,000 each; chief inspector, \$1,000; meter clerk, \$1,000; tap clerk, \$1,000; inspectors—8 at \$900 each; 11 at \$800 each; messenger, \$600.

The amendment was agreed to.

The next amendment was, on page 119, line 3, before the word "hundred," to strike out "six" and insert "eight"; and in line 4, after the word "clerks," to strike out "one at \$1,500; one at \$1,350" and insert "two at \$1,500 each," so as to read:

For distribution branch: Superintendent, \$3,300; foreman, \$1,800; workmen, \$1,500; clerks—two at \$1,500 each.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the distribution branch of the water department, on page 120, line 7, before the word "hundred," to strike out "four" and insert "six"; and in line 8, before the word "dollars," to strike out "eighty-four thousand three hundred and thirty-five" and insert "eighty-six thousand and eighty-five," so as to read:

Chief inspector of valves, \$1,600; in all, \$86,085.

The amendment was agreed to.

The next amendment was, on page 120, line 19, before the word "motor," to strike out "two," so as to make the clause read:

For fuel, repairs to boilers, machinery, and pumping stations, pipe distribution to high and low service, material for high and low service, including public hydrants and fire plugs, and labor in repairing, replacing, raising, and lowering mains, laying new mains and connections, and erecting and repairing fire plugs, maintenance of motor trucks, horses, wagons, carts, and harness necessary for the proper execution of this work, and including a sum not exceeding \$800 for the purchase and use of bicycles by inspectors of the water department, \$37,000.

The amendment was agreed to.

The next amendment was, in section 2, page 122, line 17, after the word "laborers," to insert "drivers, hostlers," so as to make the clause read:

The Commissioners of the District of Columbia are further authorized to employ temporarily such laborers, skilled laborers, drivers, hostlers, and mechanics as may be required exclusively in connection with sewer, street, and road work, and street cleaning, or the construction and repair of buildings and bridges, or any general or special engineering or construction work, and to incur all necessary engineering and other expenses, exclusive of personal services, incidental to carrying on such work and necessary for the proper execution thereof, said laborers, skilled laborers, drivers, hostlers, and mechanics to be employed to perform such work as may not be required by law to be done under contract, and to pay for such services and expenses from the appropriations under which such services are rendered and expenses incurred.

The amendment was agreed to.

The next amendment was, in section 4, page 124, line 11, before the word "thousand," to strike out "ten" and insert "thirteen," so as to read:

Sec. 4. The services of assistant engineers, draftsmen, levelers, rodmen, chainmen, and inspectors temporarily required in connection with water-department work authorized by appropriations may be employed exclusively to carry into effect said appropriations, and be paid therefrom, when specifically and in writing ordered by the Commissioners of the District, and the Commissioners of the District in their annual estimates shall report the number of such employees performing such services and their work and the sums paid to each: *Provided*, That the expenditures hereunder shall not exceed \$13,000 during the fiscal year 1913.

The amendment was agreed to.

The next amendment was, in section 7, at the top of page 126, to insert:

For mantle gas lamps of not less than 120 candlepower, \$27 per lamp per annum.

The amendment was agreed to.

The next amendment was, on page 128, line 24, after the word "shall," to insert "hereafter," so as to make the clause read:

For the rates named above it shall hereafter be the duty of each gas-light company and each electric-light company doing business in the District of Columbia to erect and maintain such street lamps as the Commissioners of said District may direct; and each such company shall furnish, install, and maintain all posts, lamps, lanterns, burners, wires, cable, conduits, gas pipes, street designations, and fixtures necessary for the respective lamps maintained by each of them, including lighting and extinguishing lamps, and repairing, painting, and cleaning.

The amendment was agreed to.

The next amendment was, on page 129, line 9, before the word "cost," to strike out "The" and insert "Hereafter the," so as to read:

Hereafter the cost of each lamp-post for incandescent electric lighting furnished by any lighting company under the above rates shall not exceed \$15, except as hereinafter provided, which cost shall include only the lamp-post, the globe, the ornamental top, and the street-designation frame and signs.

The amendment was agreed to.

The next amendment was, on page 129, line 24, before the word "maintained," to strike out "lamp" and insert "lamps," so as to make the clause read:

The cost of each lamp-post for gas lighting furnished by any lighting company under the above rates shall not exceed \$15, except as hereinafter provided, which cost shall include only the lamp-post and the street-designation frame and signs. All other fixtures, parts, fittings, burners, lamps, pipes, and appurtenances necessary for the lamps maintained by said lighting company on said posts, including the cost of erection, shall not be included in said cost.

The amendment was agreed to.

The next amendment was, on page 130, after line 12, to insert:

For each such lamp-post furnished by a lighting company by direction of the District Commissioners which shall cost in excess of \$15 for gas or electric incandescent lamps, or which shall cost in excess of \$50 for electric arc lamps, the company furnishing the same shall receive, in addition to the above rates, 11 per cent per annum on such additional or excess cost.

The amendment was agreed to.

The next amendment was, on page 130, line 20, before the word "Commissioners," to strike out "The" and insert "Hereafter the," so as to read:

Hereafter the Commissioners of the District of Columbia are authorized, in their discretion, to purchase or construct from street-lighting appropriations made in this act posts, lanterns, street designations, and all necessary fixtures or appurtenances for any of the systems of lighting above named.

The amendment was agreed to.

The next amendment was, on page 131, line 10, before the word "Commissioners," to strike out "The" and insert "Hereafter the," so as to read:

Hereafter the Commissioners of the District of Columbia are further authorized, in their discretion, to adopt other forms of electric street lighting than those named, in which event payments under appropriations made in this act shall be made for the lighting service rendered at not to exceed 3 cents per kilowatt-hour for current consumed, and, in addition thereto, 11 per cent per annum of the cost to the lighting company of furnishing and installing lamps, posts, street designations, fixtures, and the cable from lamps to the nearest point of current supply, and a fair sum for the cost of maintenance.

The amendment was agreed to.

The next amendment was, on page 131, line 21, before the word "ordered," to strike out "When" and insert "Hereafter when," so as to make the clause read:

Hereafter when ordered to do so by the said commissioners, lighting companies shall move and readjust any lamps maintained by them at the following rates.

The amendment was agreed to.

The next amendment was, on page 132, line 16, before the word "ordered," to strike out "When" and insert "Hereafter when," so as to make the clause read:

Hereafter when ordered by the commissioners to do so, lighting companies in the District of Columbia shall discontinue any public lamps maintained by them without further payment therefor, and shall remove from the streets, at their own expense, all posts, lanterns, and fixtures connected therewith.

The amendment was agreed to.

The next amendment was, on page 132, after line 21, to strike out the following section:

SEC. 9. No money appropriated by this or any other act shall be expended for membership fees or dues of any officer or employee of the United States or of the District of Columbia in any society or association or for expenses of attendance of any person at any meeting or convention of members of any society or association, unless such fees, dues, or expenses are authorized to be paid by specific appropriations for such purposes or are provided for in express terms in some general appropriation.

And insert:

SEC. 8. No money appropriated by this or any other act shall be expended for membership fees or dues of any officer or employee of the United States or of the District of Columbia in any society or association unless such fees or dues are authorized to be paid by specific appropriations for such purposes or are provided for in express terms in some general appropriation.

The amendment was agreed to.

The next amendment was, on page 133, line 13, to change the number of the section from 10 to 9.

The amendment was agreed to.

The next amendment was, on page 133, after line 21, to strike out:

SEC. 11. On and after July 1, 1912, fees collected by the District of Columbia shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in equal parts, as follows, namely, fees of superintendent of weights, measures, and markets; fees of surveyor's office; health department fees; pound fees; fees for ralling permits; fees for building permits; fees for electrical permits; bathing-beach fees; fees from public-convenience stations; fees for tax certificates; fees for motor and horse-drawn vehicle tags; fees of the municipal court; and the surplus fees of the recorder of deeds and register of wills; together with the tuition of nonresident pupils in public schools, and the tax of one-half of 1 cent paid by any street or other railroad company for each passenger carried across the Highway Bridge; and the annual wheel tax on all automobiles or other motor vehicles.

The amendment was agreed to.

The next amendment was, on page 134, after line 12, to insert:

SEC. 10. Hereafter the Superintendent of the Capitol Building and Grounds may transfer apparatus, appliances, equipments, and supplies of any kind, discontinued or permanently out of service, to such other branches of the service of the United States or District of Columbia whenever, with the approval of the Secretary of the Interior, in his judgment the interests of the Government service may require it. A detailed statement of all such transfers shall be submitted in the annual report to Congress of the Superintendent of the Capitol Building and Grounds.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. GALLINGER. On behalf of the committee I have some amendments to offer.

The VICE PRESIDENT. The amendments proposed by the Senator from New Hampshire on behalf of the committee will be stated.

The SECRETARY. On page 3, in lines 13 and 14, strike out the words "two thousand seven hundred and fifty" and insert in lieu thereof the words "three thousand," and on page 6, in lines 9, 10, and 11, change the total so as to read "\$122,122."

The amendment was agreed to.

Mr. GALLINGER. I offer the following amendment.

The SECRETARY. On page 12, line 25, strike out the words "one thousand eight hundred" and insert in lieu thereof the words "two thousand," and on page 15, in lines 9 and 10, change the total so as to read "\$186,540."

The amendment was agreed to.

Mr. GALLINGER. And the following.

The SECRETARY. On page 18, after line 3, insert the following: For the purchase of metal or other suitable files for the records of the department of insurance, \$500.

The amendment was agreed to.

Mr. GALLINGER. Also the following.

The SECRETARY. On page 33, after line 22, insert the following: "Northeast: Jackson Street, between Twentieth and Twenty-second Streets, grade and improve, \$1,600; northwest: Chesapeake Street, Wisconsin Avenue to River Road, grade and improve, \$3,000"; and in lines 23 and 24 change the total so as to read "\$160,125."

The amendment was agreed to.

Mr. GALLINGER. Also the following.

The SECRETARY. On page 39, line 2, after the word "stables," insert the word "hire"; in line 3, after the word "horses," insert the word "hire"; and in line 8, after the word "operation," insert the words "and supervision."

The amendment was agreed to.

Mr. GALLINGER. Also the following.

The SECRETARY. Beginning with line 15, on page 39, strike out all down to and including the word "collected," in line 7, page 40, and insert in lieu thereof the following:

Hereafter every street railway company in the District of Columbia shall keep its tracks and the spaces between and for a distance of 2 feet outside thereof at the crossings of the several streets which intersect their railroads at all times free from snow and ice, and shall not spill or deposit the same on either side of such crossings in such location and quantity as to impede or hinder traffic. And in the event of any street railway company failing and refusing to comply with this act, the necessary work may be done by the Commissioners of the District of Columbia, in their discretion, after notice to said company, the cost to be paid from the appropriation for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters and collected from such street railway company in the manner provided for in section 5 of an act providing a permanent form of government for the District of Columbia, approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected.

The amendment was agreed to.

Mr. GALLINGER. Also the following.

The SECRETARY. On page 46, line 10, after the word "the," insert the words "purchase and."

The amendment was agreed to.

Mr. GALLINGER. Also the following.

The SECRETARY. On page 78, line 16, after the word "each," strike out the word "two" and insert in lieu thereof the word "three"; and in lines 17 and 18 change the total so as to read \$63,920.

The amendment was agreed to.

Mr. GALLINGER. Also the following.

The SECRETARY. On page 101, in line 16, strike out the words "six hundred and sixty" and insert in lieu thereof the words "seven hundred and twenty"; in line 18, make the total so as to read \$9,940; and on page 102, in lines 5, 6, and 7 change the total so as to read \$72,440.

The amendment was agreed to.

Mr. GALLINGER. Those are all the amendments I have to offer on behalf of the committee.

Mr. WORKS. I made the point of order against the substitute offered by the Senator from New Hampshire relating to Mount Hamilton Park, that it was general legislation. I now make the same point of order against the committee amendment.

The VICE PRESIDENT. The Chair understood that the point of order covered both provisions, and both went out.

Mr. WORKS. Very well. I now offer an amendment. The VICE PRESIDENT. The amendment proposed by the Senator from California will be stated.

The SECRETARY. After the word "dollars" in line 10, on page 39, insert:

*Provided*, That all laborers on street-cleaning work shall receive not less than \$2 per day for time employed.

Mr. GALLINGER. That is manifestly subject to a point of order, but I will not make it. I am quite willing that it shall go to conference.

Mr. WORKS. I understand that the laborers on the streets here are being paid less than those in any other city in the country.

Mr. GALLINGER. They are being paid very small wages. Let the amendment go in.

The amendment was agreed to. Mr. POMERENE. On page 39, line 9, I move to amend by striking out the words "two hundred and seventy-five" and inserting in lieu thereof "three hundred and twenty-five."

My reason for doing this is that with the rate of wages increased, of which I heartily approve, it will be necessary to have an additional appropriation for street-cleaning purposes, and to that end it is suggested that there ought to be \$50,000 added.

The VICE PRESIDENT. The amendment proposed by the Senator from Ohio will be stated.

The SECRETARY. On page 39, line 9, strike out the words "two hundred and seventy-five" and in lieu thereof insert "three hundred and twenty-five," so as to read "three hundred and twenty-five thousand dollars."

Mr. GALLINGER. While I think the appropriation in the bill will prove to be sufficient, I have no objection to the amendment going in.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PUBLIC BUILDING AT ST. GEORGE, UTAH.

Mr. KENYON. I desire to enter a motion similar to that entered by the Senator from Tennessee, to reconsider the vote by which the bill (S. 3716) for the erection of a public building at St. Georges, Utah, was passed on Saturday, and I ask that the House of Representatives be requested to return the bill to the Senate.

The VICE PRESIDENT. Without objection, the request for the return of the bill is agreed to, and the motion to reconsider is entered for future action.

Mr. CULLOM. I move that the Senate adjourn. The motion was agreed to, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 20, 1912, at 2 o'clock p. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, March 19, 1912.

The House met at 12 o'clock noon. The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, help us to hallow Thy name by consecrating ourselves anew to all that is best in life, that with pure motives, high ideals, and noble endeavors we may do things worth while and prove ourselves worthy of the intellectual, moral, and spiritual gifts with which Thou hast so richly endowed us, and thus develop for ourselves in full and symmetrical proportions a character after the similitude of the Master's. Amen.

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

HOMESTEADS.

Mr. KENT. Mr. Speaker, I ask unanimous consent to have printed in the Record a tabulation of some of the homestead laws and bills which will be up for consideration before the House to-morrow.

The SPEAKER. The gentleman from California asks unanimous consent to print in the Record certain tabulated statements concerning the homestead laws. Without objection, it will be so ordered.

There was no objection. The tabulations are as follows:

Regulations pertaining to Dominion lands act (Canada) compared with United States land laws and proposed law (S. 3367).

	Present United States law.	Dominion.	Proposed law (S. 3367).
Patents.....	No reservation.....	General reservation all minerals.....	No reservation.
Eligibility.....	Citizenship, age 21 years, or head of family..	Citizenship, head of family, or age 18 years if male.	Citizenship, age 21 years, or head of family.
Amount.....	160 acres.....	160 acres.....	160 acres.
Survey.....	Must be surveyed.....	Land must be surveyed.....	Must be surveyed.
Settlers' rights.....	Settlers on unsurveyed lands have preference right of entry. Must be exercised within 3 months after survey and opening of lands.	Preference right for 6 months. Occupation after survey without entry within time gives no rights, and may be treated as trespasser, with improvements forfeited.	Settlers on unsurveyed lands have preference right of entry. Must be exercised within 3 months after survey and opening of lands.
Time for establishing residence after entry made.	6 months.....	6 months. On specific cause shown entry may be protected from cancellation for further period of 6 months.	6 months.
Annual proof.....	.....	May be required by declaration or otherwise to show each year performance of homestead duties.	.....
Grounds for cancellation.....	Made for benefit or use of another. If allowed through error, misrepresentation, or fraud. Failure to comply with statutory requirements.	Made for benefit or use of another. If allowed through error, misrepresentation, or fraud. Failure in any year to fulfill requirements of law.	Made for benefit or use of another. If allowed through error, misrepresentation, or fraud. Failure to comply with statutory requirements. Failure to establish residence within 6 months after entry.
Condemnation of land embraced in entry.	Condemnation allowable of lands needed for Government reclamation construction.	Because of value for timber. May be canceled if land necessary for protection of water supply or for location or construction of works necessary for development of water power. (Compensation may be allowed for improvements.)	Condemnation allowable of lands needed for Government reclamation construction.
Requirements.....	5 years' residence and cultivation.....	3 years' holding, with residence at least 6 months in each of 3 years, to have erected habitable house, and to have cultivated such area each year as is satisfactory to minister.	Putting a habitable house upon the land. Cultivation (no specified amount) for 3 years. Presence of entryman or his family on the land 7 months in each calendar year for 3 years.
Proofs.....	2 credible witnesses.....	Sworn statement by applicant corroborated by two witnesses.	2 credible witnesses.
Time within which proof must be made.	7 years.....	5 years.....	5 years.

PUBLICITY IN CONGRESSIONAL CAMPAIGNS.

Mr. LLOYD. Mr. Speaker, the Members of the House upon both sides are interested in the formal statement which is required to be filed by each individual candidate for Congress prior to his nomination and immediately following his nomination, prior to his election and subsequent to his election. I have conferred with the gentleman from Illinois, Mr. MANN, and we have prepared a part of these forms. I ask leave now to

insert in the RECORD a form of statement which may be made prior to a nomination, and one which may be made following the nomination of a candidate for Congress.

Mr. BARTLETT. Mr. Speaker, is that under the so-called campaign publicity bill?

Mr. LLOYD. Yes. Mr. BARTLETT. The candidate has to file a statement before his nomination?

Mr. LLOYD. Yes.

Mr. GARNER. Mr. Speaker, will the gentleman from Missouri yield?

Mr. LLOYD. Yes.

Mr. GARNER. Would it not be well, if these forms meet the approval of the membership of the House, to have blanks printed for the purpose of furnishing them to Members?

Mr. LLOYD. Mr. Speaker, after getting the unanimous consent that I desire, I wish, in addition thereto, to have leave to extend my remarks in the RECORD, so as to explain the statements which are required to be made, and to explain the law itself.

Mr. MADDEN. Mr. Speaker, will the gentleman yield for a question?

Mr. LLOYD. Yes.

Mr. MADDEN. Does the gentleman intend to introduce a form blank upon which to make a report?

Mr. LLOYD. Yes.

Mr. MADDEN. I think that is very essential and ought to be done.

Mr. CRUMPACKER. Mr. Speaker, will the gentleman yield?

Mr. LLOYD. Yes.

Mr. CRUMPACKER. I understand from the gentleman's remarks that the proposed form will only be advisory, and not obligatory.

Mr. LLOYD. It will be advisory only.

Mr. CRUMPACKER. The point I have in mind is that the convention in my district will be held on the 28th instant. I filed my statement on yesterday in the form of a general sworn statement. I, of course, would want some sort of a reserving clause if it were to be obligatory.

Mr. LLOYD. This is in no sense obligatory. It is only for the purpose of information.

The SPEAKER. The House will understand that all of this debate is proceeding by unanimous consent.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. LLOYD. Yes.

Mr. MANN. If the gentleman has these forms printed in the RECORD, I suggest that the gentleman also, for the general convenience of both Members here and candidates outside, ask leave that there may be printed for the use of the Clerk of the House a sufficient number of copies of these forms to provide them to candidates.

Mr. FINLEY. Mr. Speaker, will the gentleman yield?

Mr. LLOYD. Yes.

Mr. FINLEY. Does the gentleman know that for some days a proposition has been underway to have certain members of the House Judiciary Committee prepare a proper blank or form for candidates for the House and for the Senate, and that it is further proposed that that form be printed, by order of the House, in sufficient numbers to supply all candidates for the House and Senate with blanks? That has been underway for some time, and I would like to ask the gentleman if he is aware of that fact?

Mr. LLOYD. I am not aware of the fact.

Mr. MANN. Mr. Speaker, if the gentleman will permit me, I had a talk yesterday with the gentleman from Alabama [Mr. CLAYTON], the chairman of the Committee on the Judiciary, in reference to these forms. The gentleman from Missouri [Mr. LLOYD] and myself have been collaborating upon a form and have prepared the preliminary form, and practically the others, which I think will meet all of the requirements without question, and it would be a great convenience to Members if those forms could be furnished by the Clerk.

Mr. FINLEY. I will say to the gentleman from Illinois that it has been the intention of some Members, myself among them, to do what we could to bring about the printing of a sufficient number of forms to supply all candidates for the House and Senate.

Mr. BROWNING. Mr. Speaker, I would like to say to the gentleman from Missouri that the State law of New Jersey and the United States law conflict in one respect. A Member of Congress in New Jersey can appoint a committee of five, who expend all of the money that he has contributed. He makes a report upon that to the secretary of state, and all that the Member himself would swear to would be the amount of money turned over to his committee. For instance, when I was a candidate last fall, I appointed a committee of five to handle the funds that I gave them. When it came to making my statement to Congress I found that it was a very difficult matter to do, and I had to take the statement of the committee which I had appointed.

Mr. FINLEY. The gentleman would have to make two statements—one to Congress and one to the State of New Jersey.

Mr. BROWNING. Yes; but the two laws conflict. I do not expend the money.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

Mr. LLOYD. Yes.

Mr. BARTLETT. Mr. Speaker, I am not going to offer any objection to the proposition of the gentleman from Missouri [Mr. LLOYD], but it occurs to me to suggest that this is a law which was passed by Congress, which prescribed what candidates in the primary and candidates who have been nominated for Congress shall do, both during the primary, at the primary, before the election to Congress, and after the election to Congress. It occurs to me to suggest that it is somewhat strange that a body of men who passed a law of this sort, for which I did not vote because I did not believe we had the power to enact any such law, and also because I thought the various States—I know mine has—have enacted a better law with reference to publicity of campaign funds than the one we have put upon the statute books here—it is strange, I say, that this body should have to have some one construe its own law. I rise to call attention to that fact, for it is a singular commentary upon the intelligence of a body of three hundred and ninety-odd Members, who have enacted the law, to say that we not only need a construction of that law, as to how we should operate under it, and what sort of statements we should make, but that we should have done for us that which is done for tyros in the practice of law in justice courts, namely, have a form book prescribed showing how we shall follow the law. Not only that, but we propose to encumber the Treasury of the United States with the expense of publishing and furnishing to each Member of this House, and to other candidates who do not happen to be Members, a blank form in which we are told how to comply with this law of the United States. We find ourselves now in a peculiar position. During the closing hours of last session, without due consideration, as I believe, we passed an amendment to the law respecting publicity of campaign funds, making it apply to primary elections, and it is now suggested that we do not know how to comply with that law, but must follow the suggestions of the gentleman from Illinois and the gentleman from Missouri as to how we shall comply with it. I have no objection to the information being given to the House or to the country, to those Members of the House who are prospective Members, or to those who are not Members of the House who are prospective candidates, as to how we shall construe the law and how we shall follow it.

But if we make a mistake, or rather if the gentleman from Illinois [Mr. MANN] and the gentleman from Missouri [Mr. LLOYD] make a mistake in the construction of this law, and they are human, I apprehend, good lawyers as they are, accomplished and learned as they both are, if they have made a mistake and we plead in the courts, because we are subject to indictment if we do not follow this law, if we plead in the court as a justification for not complying with the law in the event the court should decide the gentleman from Illinois and the gentleman from Missouri were mistaken as to the requirements of the law, we are to plead not guilty or to confess our guilt and plead in extenuation of it that the gentleman from Illinois and the gentleman from Missouri thought that was the law. We are to plead that. The truth of the matter is we ought to be permitted to construe the law ourselves. We ought to be required to follow the law ourselves and we ought not to be required to have furnished by these two gentlemen the necessary forms and necessary blanks to comply with the law, and there is no reason, Mr. Speaker, why the House should be taxed with the cost of printing for the benefit of Members of the House who have voted for this law, either knowing what it was or not knowing what it was, or why we should tax the Treasury of the United States and Government of the United States for that which it is to be presumed every man who is a Member of Congress should have information on and be presumed that every man who is worthy to run for Congress and to be a candidate and to be elected or defeated for Congress ought to be able to construe for himself. Now, that is what I desire to suggest. It is a very remarkable suggestion that the House should print for the benefit of men who have been given by reason of their intelligence and their experience seats in this House, that after enacting a law that we need some one of the Members of the House to construe that law. Not only that, but we need somebody to put this matter in form like the drawing of a deed or the making of an affidavit for an attachment for young lawyers in order that we may not go astray therein.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. HILL. Will the gentleman from Georgia permit a question?

Mr. BARTLETT. I will.

Mr. HILL. I understand in the last congressional election in Kansas it was made an essential that everybody who was a candidate and desired his name to go on the ticket as a candidate should, as a preliminary, pay \$3,000 to somebody—

Mr. BARTLETT. Yes.

Mr. HILL. In order to get their names on the ticket.

Mr. BARTLETT. You can expect anything from Kansas, you know.

Mr. HILL. I know it is a great progressive State and a good State and—

Mr. BARTLETT. But anything curious can come from Kansas.

Mr. HILL. I would like to know whether the manner in which the money is expended comes in any way to the knowledge of Congress under the law which we passed in the last Congress?

Mr. BARTLETT. I do not think it does.

Mr. HILL. That is just what I think. The law is a farce.

Mr. LLOYD. Mr. Speaker, I ask to have my request put again.

Mr. FINLEY. Mr. Speaker, I would like to have the request of the gentleman stated.

The SPEAKER. The request is to print in the CONGRESSIONAL RECORD certain forms with the affidavits of money expended touching congressional nominations and elections and also to have the Clerk print enough of them to furnish to Members—

Mr. BARTLETT. To furnish to Members or candidates?

The SPEAKER. And other candidates. Is there objection?

Mr. BARTLETT. Mr. Speaker, I am going to object; I think it is a very foolish proposition.

#### EXCISE-TAX BILL.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21214.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21214, the excise-tax bill, with Mr. Moon of Tennessee in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the title, as follows:

A bill (H. R. 21214) to extend the special excise tax now levied with respect to doing business by corporations to persons, and to provide revenue for the Government by levying a special excise tax with respect to doing business by individuals and copartnerships.

The CHAIRMAN. Under the order of the House the committee will consider the bill under the five-minute rule for two hours.

Mr. UNDERWOOD. Mr. Chairman, I have a committee amendment which I desire to offer to this bill. The amendment is to section 3, and I ask unanimous consent that I may offer it at this time.

The CHAIRMAN. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that he may offer a committee amendment to section 3 of the bill at this time.

Mr. MANN. Reserving the right to object, let the amendment be reported.

Mr. UNDERWOOD. I will state to the gentleman what it is: On page 5, line 12, after the word "dollars," I desire to strike out the word "gross," so that it will read—

But persons having less than \$4,500 income are not required to make such report.

That leaves out the word "gross."

Mr. FOSTER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. FOSTER of Illinois. Striking out the word "gross" leaves this to mean \$4,500 net income.

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

Mr. UNDERWOOD. Now, Mr. Chairman, I wish to say to the committee that as this bill was originally offered it required all persons having a gross income of \$4,500 to make a report of their income. After further consideration we have concluded that that might work a hardship; that there might be many persons who had an income of only \$1,000 or \$2,000 net income whose gross income would be as much as \$4,500 or above. And in order not to force those people to make a report and annoy them with making a report, we propose to strike out the word "gross" and let it read simply "\$4,500 income," which means

net income, because net income is referred to in the other paragraphs of the bill and in this paragraph.

Mr. MANN. Does the gentleman think it would be net income?

Mr. UNDERWOOD. I think it would.

Mr. MANN. I do not see the difference between "gross income" and "income." If the gentleman wants to make it "net income," would it not be safer to do that?

Mr. UNDERWOOD. I have no objection to the word "net" going in before the word "income," but as all the balance of the bill refers to net income, I presume the court would accept it in that way. If there is any doubt, I would ask to insert the word "net" instead of "gross," so as to make it read "net" instead of "gross."

Mr. BARTLETT. Is debate allowed on this amendment?

The CHAIRMAN. Does the gentleman wish to be heard on the amendment?

[Mr. BARTLETT addressed the committee. See Appendix.]

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. RAUCH 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 bill of the following title:

H. R. 11824. An act to amend section 113 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911.

The message also announced that the Vice President had appointed Mr. Root of New York and Mr. MARTIN of Virginia to fill the vacancies in the Senate membership of the joint commission, provided under the act of April 28, 1904, for extension and completion of the Capitol Building, occasioned by the death of Mr. Alger of Michigan and Mr. Gorman of Maryland.

#### THE EXCISE-TAX BILL.

The committee resumed its session.

The Clerk read as follows:

*Be it enacted, etc.*, That every person, firm, or copartnership residing in the United States, any Territory thereof, or in Alaska or the District of Columbia, shall be subject to pay annually a special excise tax with respect to the carrying on or doing business by such person equivalent to 1 per cent upon the entire net income over and above \$5,000 received by such person from all sources during each year; or, if a nonresident, such nonresident person shall likewise be subject to pay annually a special excise tax with respect to the carrying on or doing business by such person equivalent to 1 per cent upon the amount of net income over and above \$5,000 received by such person from business transacted and capital invested within the United States and its Territories, Alaska, and the District of Columbia during each year. The term "business," as herein used, is and shall be held to embrace everything about which a person can be employed, and all activities which occupy the time, attention, and labor of persons for the purpose of a livelihood or profit. The word "person" wherever used in this act shall be held to include natural persons or individuals and firms or copartnerships.

Mr. CANNON. Mr. Chairman, I offer a pro forma amendment to strike out the last word.

I shall not discuss our constitutional power to enact this bill. I have listened to the discussion, which in the main has been able, on both sides of that legal question; and even if I were competent to discuss it as intelligently, perchance, as it has been discussed, there is no time in five minutes to discuss it.

I intend to be purely practical in my discussion of this bill, without regard to whether it is constitutional or not.

There are \$124,000,000 in the general fund in the Treasury. We had last year \$47,000,000 of surplus revenue under existing law. We have advanced for the construction of the Panama Canal from the general fund in the Treasury, over and above what the Government has been reimbursed, in round numbers \$126,000,000. This amount is reimbursable.

I have no doubt that the surplus at the close of this fiscal year will be more than it was at the close of the last fiscal year. I believe it will be over \$50,000,000. Now, under existing law, saying nothing about reimbursement for moneys advanced for the Panama Canal, the revenues are ample to care for the Government; and, Gen. SHERWOOD, if the pension bill that bears your name should be enacted into law, the Government revenues would be large enough, without one additional dollar of taxation, to pay the additional expense caused by the enactment of that pension bill. [Applause.]

Now, here we are in the session preceding the presidential election. My friend from Alabama [Mr. UNDERWOOD], the leader upon that side of the House, fires in his revenue bills, although he has no more idea of their being enacted than he has that he will repose in Abraham's bosom when he crosses over to the other side. [Laughter.] They are all pure leather and prunella. When I have said that I have said all I desire to say upon this subject. Yet, under the able leadership of the gentleman from Alabama [Mr. UNDERWOOD], they will continue to fire in

these bills, continue to talk about taxation, continue to weep crocodile tears for the poor oppressed people; when the agitation that they make in seeking to gain this political capital brings, through fear and apprehension in the minds of great multitudes of people, whatever of distress now rests upon the country. [Applause.]

Mr. CAMPBELL. Mr. Chairman, I offer the amendment which I send to the Clerk's desk, to come in after line 13, page 2.

The CHAIRMAN. The pro forma amendment offered by the gentleman from Illinois [Mr. CANNON] will be considered as withdrawn, and the gentleman from Kansas [Mr. CAMPBELL] offers an amendment which the Clerk will report.

The Clerk read as follows:

*Provided*, That the provisions of this act shall apply to the incomes of persons who have retired from or are not engaged in active business, and to married women who have separate incomes from property in their own names, under the laws of any State of the Union.

Mr. UNDERWOOD. Mr. Chairman, I desire to reserve a point of order against that amendment.

The CHAIRMAN. The gentleman from Alabama reserves the point of order.

Mr. CAMPBELL. Mr. Chairman, the purpose of this amendment is to reach those larger incomes which do no one any good except the recipients, and which are not reached by the bill as it is.

The gentleman from Alabama [Mr. UNDERWOOD] stated yesterday, in answer to a question, that the provisions of this bill would not reach the incomes of men who had retired from or were not engaged in active business.

It is well known to everyone that the large incomes of the country are received by men who are to-day idle and who are known throughout the country, in the parlance of the present, as the idle rich. This bill will not reach the income of any one of these persons. I should like to see the incomes of Mr. Carnegie and Mr. Rockefeller, and of the other great retired captains of industry, pay something under the provisions of this law. Without the amendment I have offered they will not be required to pay one cent.

I am also anxious to reach that other large class who have enormous incomes, the women of the country with colossal fortunes who marry foreign counts and live abroad. The provisions of this act would not reach them without this amendment. With this amendment, every countless living on the Continent of Europe or anywhere else, having property in the United States from which she receives an income, would have to pay something for the maintenance of the Government from which she has expatriated herself. Without this amendment these larger fortunes of this country would not pay a cent of tax under the provisions of this bill. With this amendment the incomes that ought to be reached will be reached.

But it is answered that this provision is in violation of the Constitution as laid down in the Pollock case. Well, we are appealing to the Supreme Court of the United States to reestablish an income tax, and it is just as well to take this provision up to the court with the question the bill raises as it is. We are only starting a lawsuit in any event, and we may as well include in that suit something that will be worth the trial. [Applause.] This provision will make it worth while to have passed this law and to have taken it to the Supreme Court of the United States.

Mr. Chairman, the amendment I have offered makes the idle man or the idle woman with a large income contribute to the support of the Government, and will in some measure relieve the active man and the active woman, with active capital, engaged in active business. This bill as it now stands requires the payment of a tax for the privilege of being active in business. It puts a premium on retiring from business, on not engaging in business, on taking capital out of business, on taking enterprise and industry out of the activities of the country.

I have always been a nationalist or a federalist and therefore have believed in an income tax properly enacted.

There has been no one step taken by our Democratic brethren in recent years that shows so conclusively that they have abandoned the idea that this is not a sovereign nation as the step they have taken to permit the Federal Government to extend its arm into the homes and business enterprises of every citizen of the Union who is in business, when his income exceeds the sum of \$5,000 a year. Alexander Hamilton never pleaded for a nationalism that was greater and stronger than that. Thomas Jefferson would not have applauded the purposes of this bill. Alexander Hamilton, if he were here, would applaud this bill with the amendment I have offered. He believed always that this was a nation spelled with a capital N, and if this bill should ever become a law, if it includes the amendment I have offered,

will enable the Federal Government to exercise the authority of its taxing powers over all property, active and idle as well, and make this tax bill really worth the passage. [Applause.]

Mr. UNDERWOOD. Mr. Chairman, I shall address myself to the point of order which I now make. The gentleman from Kansas offers an amendment which would bring this bill into the category of an income-tax bill, and instead of accomplishing the result he says he desires, if the Supreme Court of the United States maintained the decision in the Pollock case, it would declare the bill unconstitutional.

Of course, I hope and believe that if the question is ever presented to the Supreme Court of the United States again it will reverse the Pollock case and hold that a direct income tax is constitutional. [Applause.]

But I do not want to complicate this bill. We are writing this bill for the purpose of raising revenue, and when the gentleman states that I stated yesterday that this bill would not reach the vast wealth of men like Mr. Carnegie, it simply means that the gentleman was not on the floor when I made my speech, because I distinctly said that it would reach men of that class.

Mr. CAMPBELL. Will the gentleman yield?

Mr. UNDERWOOD. Not at present. I stated that the bill would not reach the idle holder of idle wealth, but that there would be very few men who would be exempt under this bill, and that men like Mr. Carnegie and Mr. Astor were as much engaged in business as the men who are renting office buildings or lending money in the pawnbroker's shop.

Now, the point of order I desire to make is this: This bill seeks to levy an excise tax. Under its terms it does not attempt to levy a tax on incomes, it attempts to levy a tax on the right to do business, and measures the amount of the tax by the net income of the person taxed. But the tax is not on the income or the property; it is strictly on the right to do business.

The amendment offered by the gentleman from Kansas seeks to levy a tax on certain incomes, not on the right of the person to do business, but on the incomes they derive from the property, and under the rules of this House I contend that that amendment is not germane to the subject matter of this bill.

The CHAIRMAN. Does the gentleman from Kansas desire to be heard on the point of order?

Mr. CAMPBELL. Mr. Chairman, the purpose of this bill is to levy a tax on incomes. To say that that tax shall be levied upon a man engaged in doing business is simply defining one phase of the bill. It is quite logical to add to that a provision levying a tax upon the incomes of those not engaged in business. The rules of this House make no distinction between an excise tax and an income tax. That is a matter that has been passed upon by the court, and that is for the court, but we are here passing a law under the rules of this House providing for an income tax, if we are doing anything. The provisions of this bill, as they stand, levy that tax upon the man and woman who are engaged in business, and the amendment I have offered only adds to that number the men and women who are not engaged in active business.

Is there anything incompatible in that amendment with the provisions of the bill as it stands? Is the idea of an income tax on activity so abhorrent to an income tax on inactivity that the Chair would hold that an income tax on the idle man could not be included in the provisions of the same bill with the tax on the income of the active man?

Mr. BATHRICK. Will the gentleman allow me a question?

Mr. CAMPBELL. Certainly.

Mr. BATHRICK. Is it not very apparent that Mr. Carnegie, whose holdings in the United States Steel Trust are supposed to be almost entirely in bonds, would pay an income upon the capital invested within the United States as set forth on page 2, line 5, of the bill?

Mr. CAMPBELL. That is one of the propositions that would go to the Supreme Court. I will state to the gentleman from Ohio, and if I may have the attention of the gentleman from Alabama, that I will change this from a proviso to a separate section. Therefore, if when the lawsuit reaches the court, which it certainly will if this bill should ever become a law, if the court should hold that this separate section was unconstitutional, it would still leave the tax on the activity of the country, while it would relieve the inactivity of the country from taxation.

Mr. COVINGTON. Will the gentleman yield?

Mr. CAMPBELL. Certainly.

Mr. COVINGTON. Does not the gentleman know that if his amendment is written into the bill it plainly will destroy the validity of it in the Supreme Court of the United States?

Mr. CAMPBELL. Not at all; we are going to the Supreme Court of the United States anyhow. The gentleman does not

indulge the hope that this bill, if it becomes a law, will not be a subject of litigation?

Mr. COVINGTON. No; but we indulge in the hope that amendments will not be offered purely for buncombe and which, if adopted, would have the effect not of perfecting but of destroying the purpose of the bill. That seems to be the purpose of the gentleman from Kansas.

Mr. CAMPBELL. I take it that the gentleman is quite familiar with buncombe legislation. He has participated in Democratic caucuses that have brought out one buncombe bill after another, and he knows what buncombe is. [Applause and laughter on Republican side.] This amendment is offered for the purpose of reaching that large wealth in this country which is exempted under the provisions of the bill under consideration.

Mr. COVINGTON. Mr. Chairman, it certainly does not require any prescience to tell me that I would not have to go to a Democratic caucus to find buncombe when we still have left in this House a few gentlemen from the State of Kansas. [Laughter.]

Mr. CAMPBELL. Mr. Chairman, the gentleman will not have to come to Kansas for his buncombe. He will find some in Maryland and some in Alabama, and all he wants of it in a Democratic caucus. I have stated that if there were any fear that in the lawsuit which will be brought as the result of this bill, if it should become a law, the court should find the provisions of the gentleman's bill constitutional and this proviso which I offer unconstitutional I shall be very glad to put it in the form of a separate section, so that that section could be declared unconstitutional and thus leave the remainder of the bill as written by the gentleman from Alabama.

Mr. UNDERWOOD. Mr. Chairman, I do not think a separate section would be any more in order than the amendment offered here. I would like to have the Chair rule upon whether the matter is germane or not.

Mr. CAMPBELL. I think the amendment is germane.

The CHAIRMAN. The bill provides for a special excise tax with respect to doing business by persons and copartnerships. This is strictly an excise tax. It is not an income tax. The amendment offered by the gentleman from Kansas provides that the provisions of the act shall apply to incomes of persons who retire from or are not engaged in active business, and to married women who have separate incomes from property in their own names under the laws of the several States. It is very obvious that the amendment seeks to tax incomes, while the bill is not on the subject of incomes, but levies an excise tax on the privilege of carrying on business. The amendment being totally foreign to the subject matter of the bill, it is out of order, and the point of order made by the gentleman from Alabama is sustained.

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

The Clerk read as follows:

Amend, page 1, line 9, by striking out the words "all sources" and insert in lieu thereof the words "said business."

Mr. JACKSON. Mr. Chairman, I offer this amendment merely for the purpose of calling the attention of the committee to a proposition which makes this law as certainly unconstitutional as would the amendment which was offered by my colleague [Mr. CAMPBELL], should it be adopted. In order to arrive at once at what I wish to say, allow me to read from the corporation-tax case, what the court in its opinion said upon these words. The court said:

It is true that in the Spreckels case (192 U. S., supra), the excise tax, for the privilege of doing business, was based upon the business assets in use by the company, but this was because of the express terms of the statute which thus limited the measure of the excise. The statute now under consideration bears internal evidence that its draftsman had in mind language used in the opinion in the Spreckels case, and the measure of taxation, the income from all sources, was doubtless inserted to prevent the limitation of the measurement of the tax to the income from business assets alone.

It is evident from the speech of the gentleman from Alabama [Mr. UNDERWOOD] and the others who have talked upon that side of this proposition, that they expect that the same measurement of this tax which was applied by the Supreme Court to the measurement of a corporation income can be applied to the measurement of an individual's income; and I assert that position overlooks the fundamental proposition in the corporation-tax case, namely that the decision rests on the right to tax the use of a corporate franchise in business. I know gentlemen quote it here as though it had rested on the proposition of taxing business alone, but they do not notice that in every instance, where the court used this language it emphasizes the fact that the thing taxed is the privilege of the corporation to do business as a corporation. This is important upon the question of the measure of the tax.

It was held that the tax on a corporation might include all its income from every source, including income from property which, considered alone and unconnected with the business, would not be taxable, but the court did not hold, and never will hold, that such a rule could be applied to individuals. The court rested this ruling squarely on the very fact that all the property of a corporation must be necessarily related to and connected with its business. The Government, in the brief on this case said:

Besides, the property held by a corporation, whether actively employed in its principal business or not, does serve as an aid to that business, adding to its financial strength and credit.

When the court came to pass on that question, in the opinion it used this language:

In the case at bar we have already discussed the limitations which the Constitution imposed upon the right to levy excise taxes, and it could not be said, even if the principles of the fourteenth amendment were applicable to the present case, that there is no substantial difference between the carrying on of business by the corporation taxed and the same business when conducted by a private firm or individual. The thing taxed is not the mere dealing in merchandise, in which the actual transactions may be the same, whether conducted by individuals or corporations, but the tax is laid upon the privileges which exist in conducting business with the advantages which inhere in the corporate capacity of those taxed, and which are not enjoyed by private firms or individuals. These advantages are obvious and have led to the formation of such companies in nearly all branches of trade.

It is this distinctive privilege which is the subject of taxation, not the mere buying or selling or handling of goods, which may be the same, whether done by corporations or individuals.

Then on this very question the court further said:

It is contended that the measurement of the tax by the net income of the corporation or the company received by it from all sources was not only unequal, but so arbitrary and baseless as to fall outside the authority of the taxing power. But is this so? Conceding the power of Congress to tax the business activities of private corporations, including, as in this case, the privilege of carrying on business in a corporate capacity, the tax must be measured by some standard, and none can be chosen which will operate with absolute justice and equality on all corporations.

Some corporations do a large business upon a small amount of capital; others with a small business may have a large capital.

The tax upon the amount of business done must operate as unequally as a measure of excise as it is alleged the measure of income from all sources does.

Now, again:

Nor can it be justly said that investments have no real relation to the business transaction by a corporation. The possession of large assets is a business advantage of great value; it may give credit which will result in more economical business methods; it may give a standing which shall facilitate purchases; it may enable the corporation to enlarge the field of its activities and in many ways give it business standing and prestige.

So here in the very language of this bill, in the language of the corporation case, lies a provision which under the authority of the first case that was passed upon by the Supreme Court, under the safety-appliance act, under the decision of the court in the Western Union against Kansas, which I was so unfortunate as to be counsel for the State in this case, if for none of the broader constitutional reasons which have been urged against it here should succeed, will undoubtedly go down when the court comes to pass upon this language.

So this bill incorporates in its provision a measure of taxation which, under the corporation-tax cases, is clearly unconstitutional and can not be upheld. Broadening the provisions of the corporation-tax law to include all individual incomes brings the law within the rule declared in the Pollock case and annuls it in its entirety.

In the first employers' liability case (207 U. S., 463) Congress used language which could be construed to include intrastate as well as interstate commerce, and intrastate commerce not being with the regulative power of Congress the entire law was declared unconstitutional. Again, in Western Union against Kansas (216 U. S., 1)—a case in which I was unfortunate enough to be on the wrong side as counsel—the court held that a State law attempting to tax all the capital stock of a foreign corporation was unconstitutional as an unlawful restriction on interstate commerce.

As this bill, boldly and unequivocally attempts to measure a tax by including in its provisions sources of incomes not within the power of Congress to tax constitutionally, I believe it will be stricken down by the courts as a whole. If the amendment is adopted, the bill might be constitutional as to the incomes left within its provisions.

Mr. LANGLEY. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Kansas, because it seeks to narrow the scope and application of this bill. I do not wish to see that done. Notwithstanding the fact that this measure originated on the other side of the House, and notwithstanding the fact that I am a protectionist Republican, I intend to vote for the bill just as it was reported by the committee. [Applause.]

Nearly 20 years ago I participated in an intercollegiate debate upon this question, and I was on the affirmative side. In preparing for that debate I gave the question as thorough a consideration as I was then capable of giving to it, and my investigation thoroughly convinced me of the wisdom and justice of this method of raising revenue. [Applause.] I still entertain the same opinion. I regret to take a position which, I assume, will be contrary to that of a majority of my party colleagues here, but I can not conscientiously, merely for the sake of party expediency, abandon the convictions of almost half a lifetime. [Applause.]

I had intended to participate in the general discussion of the bill, but the condition of my voice would not permit it, and for the same reason it must be evident to you that I can not discuss it further now. I wish to take advantage of the privilege which has been accorded of extending my remarks in the RECORD, in order to give my reasons for supporting the bill. I have risen now to make this brief explanation in order that my party colleagues may understand why I cast my vote for the bill [Applause.]

Mr. HULL. Mr. Chairman, I think that if Congress had entertained the same opinion as to its taxing power which the gentleman from Kansas has expressed, neither the excise act of 1898 nor the corporation-tax act of 1909 would have been considered or passed. The language of the corporation-tax act is perfectly plain. It was sustained in every way by the court decisions relative to the method of measuring that tax. There can be no controversy in the mind of any gentleman, who will take the pains to even glance carefully at this act and at the Flint decision construing it, as to the meaning. This decision, commenting upon the objections made to the act, in which it undertakes to measure the corporation tax by the income derived from all sources, says:

There is no rule which permits a court to say that the measure of its tax for the privilege of doing business, where income from property is the basis, must be limited to that derived from property which may be strictly said to be actively used in the business. Departures from that rule sustained in this court are not wanting.

Then a number of citations are given containing references to other decisions on similar lines. Therefore, Mr. Chairman, there can be no doubt in the mind of any gentleman who favors an excise tax on business such as this bill proposes to lay, or in the mind of any gentleman who would have supported the corporation-tax act of 1909, as to what this means or as to what the courts would say it means.

Mr. JACKSON. Mr. Chairman, I offered this amendment merely for the purpose of calling attention of the author of the bill to what seems to me to be absolutely certain to destroy the law in the Supreme Court. I want the gentlemen who start this lawsuit to put it up to the Supreme Court in the way they desire, and I therefore withdraw the amendment.

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

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

Mr. MONDELL. Mr. Chairman, it is said that imitation is the most sincere form of flattery, and therefore the Republican Party may properly feel flattered that the Democracy has in this bill attempted to imitate the Republican corporation tax. [Applause on the Republican side.] Most imitations, however, lack many of the virtues of the original; some lack all of them. This particular imitation is of the latter class.

I am opposed to this legislation; first, because while it professes to imitate a wise and constitutional measure it is neither wise nor constitutional.

There are times and conditions when, under a Government like ours, the legislative branch of the Government is justified in enacting legislation containing propositions which, at another time and in different form, have met the disapproval of a majority of the court of last resort, but there is no condition existing at this time justifying the launching on the legislative sea of this crude proposal which, under the name of an excise tax, involves all the problems of an income tax without having its virtues.

An amendment to the Federal Constitution, providing for an income tax, is now before the country awaiting the ratification of the States. Thirty States have already ratified it, requiring the approval of only six more. That approval can be had within a year. Should a sufficient number of States ratify the amendment, an evenly balanced bill could be brought in instead of this measure which, its proponents admit, would tax only the active and leave untaxed the idle wealth of the country. In this condition of affairs, with no present need of more revenue, there is no justification for this slipshod, halting, and inadequate at-

tempt at an inequitable income tax under the guise of an excise tax.

I am further opposed to the measure, because it is brought forward on the ridiculous claim that it would raise sixty millions of revenue. If I were to vote for it and it finally ran the gantlet of the Supreme Court, I would be subject to the criticism that I had voted for a measure with the expectation that it would fill a sixty-million gap in the revenues when, in fact, it would raise only fifteen or twenty millions.

I am further opposed to the bill, because it is presented as a stop gap for a threatened breach in our tariff walls made by the loss of \$53,000,000 if the bill putting sugar on the free list should pass. It can not minimize the loss or delay the destruction to the interests or industries of the American people which the removal of the tariff on sugar would bring, but is presented as the excuse for and complement of that measure of property confiscation and treaty repudiation. Therefore I can not support it. [Applause on the Republican side.]

The Clerk read as follows:

SEC. 2. That in computing incomes the necessary expenses actually incurred in carrying on any business, not including personal, living, or family expenses, shall be deducted, and also all interest paid within the year by such person on existing indebtedness; and all national, State, county, school, and municipal taxes, not including those assessed against local benefits, paid within the year shall be deducted from the gains, profits, or income of the person who has actually paid the same, whether such person be owner, tenant, or mortgagor; also losses actually sustained during the year incurred in trade or arising from fires, storms, or shipwrecks, and not compensated for by insurance or otherwise, and debts ascertained to be worthless. *Provided*, That no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments made to increase the value of any property or estate: *Provided further*, That only one deduction of \$5,000 shall be made from the aggregate income of all the members of any family composed of one or both parents and one or more minor children or husband and wife; that guardians shall be allowed to make a deduction in favor of each and every ward, except that in case where two or more wards are comprised in one family and have joint property interests the aggregate deduction in their favor shall not exceed \$5,000: *And provided further*, That in cases where the salary or other compensation paid to any person in the employment or service of the United States shall not exceed the rate of \$5,000 per annum, or shall be by fees or uncertain or irregular in the amount or in the time during which the same shall have accrued or been earned, such salary or other compensation shall be included in estimating the annual gains, profits, or income of the person to whom the same shall have been paid, and shall include that portion of any income or salary upon which a tax has not been paid by the employer, fiduciary, or other person, where the employer, fiduciary, or other person is required by law to pay on the excess over \$5,000: *And provided further*, That in computing the income of any person there shall not be included the amount received from any corporation, joint-stock company or association, or insurance company as dividends upon the stock of such corporation, joint-stock company or association, or insurance company, if the special excise tax of 1 per cent now imposed by law has been paid by such corporation, joint-stock company or association, or insurance company: *And provided further*, That in computing the income of any person there shall not be included the amount received from any firm or copartnership if the special excise tax of 1 per cent imposed by this act has been paid by such firm or copartnership.

Mr. MANN. Mr. Chairman, I move to amend, on page 3, by striking out the language at the top of the page, beginning in line 1, as follows:

*Provided*, That no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments made to increase the value of any property or estate.

I confess I do not quite understand what would constitute the income, but, apparently, from the reading of this bill, if a man was a member of the Building & Loan Association and borrowed money from that association with which to build a home, and the amount borrowed, together with the rest of his income, exceeded \$5,000, he would be compelled to pay any excess on the tax over \$5,000, because no deduction can be made under the terms of the bill for the money expended by him for the construction of his home. Of course, the same would apply to the borrowing of money from any other source. We have a very large membership in the building and loan associations throughout the United States, and heretofore had aimed to exempt them from the provisions of any tax that we might levy, but here is a proposition that says if a man borrows money to build a home for himself he will have to pay an excise tax for conducting business.

That is illustrative of the general features of the bill—a bill to tax industry. One the one hand, our Democratic friends are proposing to remove the protection which American industries enjoy in competition with the trade from foreign nations, and, on the other hand, they propose to levy a tax against money invested in industry, not against money which may be invested in municipal bonds or other bonds of people not engaged in business.

On the one hand, they deprive our industries of the benefit of the home market, and, on the other hand, tax them over the taxes which they now pay. No wonder the industries of the country are now largely paralyzed; no wonder that business is

largely at a standstill, with the threat of Democratic success and Democratic policies which cut off at the end of earning and then tax, in addition, that which has been earned. I can see no defense to a proposition of that sort.

It was the Republican Party which submitted to the country an amendment permitting an income tax, and for that we still stand [applause on the Republican side]; but it is the Democratic Party which proposes not to tax incomes, but to tax industry. All other nations of the world which tax incomes endeavor to promote industry, but the Democratic policy is to endeavor to demote industry by taxing it and let idle incomes go scott free. [Applause on the Republican side.]

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

It seems to be a morning for general confession, and I wish to state that I am going to vote against this bill on principle. I think it is unwise and unnecessary. I have a very distinct and vivid recollection of 1898, when the Spanish-American War began and it became necessary to raise money, that Congress in a very few days passed a bill for taxation which met the entire expenses of that war—between one and two hundred million dollars a year. No disturbance was created by it throughout the country; nobody felt it. After the bills were paid, a year after the Spanish War, one morning a resolution was brought in here to entirely discontinue that tax. A part of the law had been repealed the year before. One hundred and thirteen million dollars was the last discontinuance. It was repealed, and hardly anybody knew it for months after it was gone.

This bill is absolutely unnecessary to meet the expenses of this Government. It will cost infinitely more to collect this tax than it cost to collect the Spanish War tax. It will add hundreds and hundreds of employees to the already swollen pay roll of the United States.

The Spanish War system of taxation could be inaugurated if we needed money, but we do not. If we needed the money, a stamp system could be inaugurated, and all the money needed for your free wool and your free sugar, and for your deficiencies due to your system of tariff for revenue only, could be secured without the slightest difficulty. This is simply partisan Democratic legislation, with sectionalism stamped on every line of it, put forward for a purpose and not to procure necessary revenue.

You say you want to strike the rich and wealthy. If you do, put stamps on bank checks, tax rum and tobacco and luxuries generally. Why do you not do that? Use the stamp system which was used during the Spanish War and get anywhere from \$50,000,000 to \$200,000,000 revenue, as we did then, instead of organizing a great big spy system all over the United States and starting in for a lawsuit when you already know what you could do under the Spanish War taxation system. For that reason, if for no other, and because it is unnecessary, because it is not in accordance with American traditions, I am opposed to it and will vote against it. [Applause on the Republican side.]

Mr. HULL. Mr. Chairman, I yield to the gentleman from Kansas [Mr. TAGGART].

Mr. TAGGART. Mr. Chairman, it is rather astounding that one of the veteran Members of this House should rise in his place and say that an income tax is not in accordance with American traditions. With the greatest respect for that gentleman and those here who applaud his statement, I beg leave to call attention to the fact that a great many income-tax acts have been on the statute books of the United States that were held constitutional by the Supreme Court, and that they were passed by Republican Houses of Representatives and Republican Senates and signed by Republican Presidents.

For the purpose of calling particular attention to this fact, I refer to the celebrated Pollock case itself, in which the learned Chief Justice, in his dissenting opinion, called attention to it in this paragraph:

From 1861 to 1870 many laws levying taxes on income were enacted, as follows: Act of August 5, 1861 (ch. 45, 12 Stat., 292, 309, 311); act of July 1, 1862 (ch. 119, 12 Stat., 432, 473, 475); act of March 3, 1863 (ch. 74, 12 Stat., 713, 718, 723); act of June 30, 1864 (ch. 173, 13 Stat., 223, 281, 285); act of March 3, 1865 (ch. 78, 13 Stat., 469, 479, 481); act of March 10, 1866 (ch. 15, 14 Stat., 4, 5); act of July 13, 1866 (ch. 184, 14 Stat., 98, 137, 140); act of March 2, 1867 (ch. 169, 14 Stat., 471, 477, 480); act of July 14, 1870 (ch. 255, 16 Stat., 256, 261).

All of them were income-tax laws, and each and every one of them was passed by a Republican administration.

Now, this bill is not in terms an income-tax bill. It was argued here yesterday with a degree of ability not usually enjoyed or observed at any place, not even in this House. [Laughter.] It was presented by one of the ablest orators in America. The final conclusion is this, That the Supreme Court has plainly receded from the income-tax decision. In the Flint

case, decided in 1910, it says that, for the very reason that men have organized into a corporation and enjoy the privilege of associating themselves in that manner, they may be lawfully taxed by an act of Congress for transacting business as a corporation on their annual income.

I believe that the Supreme Court ought to have an opportunity itself to recall the Pollock decision. [Applause.] I believe that the Supreme Court is the proper body to recall its own decisions. The learned and venerable Chief Justice, as has repeatedly been said here, is the only survivor of the court as it was constituted 18 years ago, when that decision was rendered. It simply decided by a majority of one that a tax on personal property or a tax on real property, or on the income of either, was a direct tax, and therefore had to be apportioned among the States according to population.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for five minutes more.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Kansas [Mr. TAGGART] be permitted to proceed for five minutes longer. Is there objection?

There was no objection.

Mr. TAGGART. Mr. Chairman, it is now decided in the Flint case that if five men, say, associate themselves together as a corporation and own a hotel and rent the hotel to somebody else and derive an income of more than \$5,000 per annum from it, they can be taxed as a corporation. The decision leaves the door open for another proposition. If these five men dissolve their corporation, form a partnership, and own the same hotel and rent it they could not be taxed, according to the Pollock case.

Mr. Chairman, I believe that the Flint decision is an intimation on the part of the court to the lawmaking bodies of the United States that they may enact an income-tax law, and I believe such a law will be upheld by the Supreme Court of the United States.

I wish to say that I have an abiding faith in the integrity of the Supreme Court of the United States. I wish to take this opportunity of saying now that no profit and no good can come from attacking that distinguished body. [Applause.] I would rather believe that the planets would leave their courses than that the Supreme Court of the United States would depart from the path of duty. [Applause.] Whoever under this flag raises his voice against that department of our Government is no lover of our common country. [Applause.]

I shall vote for this bill, and I believe that the apprehensions indulged in by the gentleman from Kansas [Mr. JACKSON], who thinks that there may be something unconstitutional in it, are absolutely unwarranted.

I wish, in closing, to call attention to the specific point decided in the Flint case. I think it will become apparent to everyone, regardless of whether or not he has practiced law, that the present tax is levied on a privilege, and that is the bare privilege of being a corporation. In this bill we are levying a tax on a privilege, and that is the privilege of doing a profitable business. We have taken the liberty to define what we mean by "business." In this very Flint case the Supreme Court has said that the intention of Congress as manifested by the language of the act is entitled to great consideration. I shall read from the report the exact point decided in the Flint case:

The tax under consideration, as we have construed the statute, may be described as an excise upon the particular privilege of doing business in a corporate capacity, i. e., with the advantages which arise from corporate or quasi corporate organization; or, when applied to insurance companies, for doing the business of such companies.

The bill under consideration before us provides that whoever enjoys the privilege of deriving from his vocation a sum in excess of \$5,000 annually will be taxed to support the Government of the United States, and it will now become necessary for some gentlemen here to go forth and convince the people that it was wrong to quit levying tribute upon the tables of the American people by a tax on sugar and wrong to place the burden upon those who are best able to bear it.

The gentleman from Illinois [Mr. MANN] said that this was a tax on industry. Three years ago he voted pointedly and directly for a tax on corporations that were engaged in industry. By what system of logic does he now deny the right of the Government to tax a rich man who enjoys a net income of more than \$5,000 per annum, whether he derives it from industry or not? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask that the debate on the amendment I have pending be closed.

Mr. CULLOP. Mr. Chairman, I would like to be heard on the gentleman's amendment.

Mr. UNDERWOOD. Mr. Chairman, then I ask unanimous consent that the debate on this amendment be closed in five minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that debate on the pending amendment be closed in five minutes. Is there objection?

There was no objection.

Mr. CULLOP. Mr. Chairman, the opposition of the gentleman from Illinois [Mr. MANN] to this provision, as I understand it, is that if a man borrows \$5,000 of a building and loan association or from any other source and invests it in a home, that will be taken into consideration and charged up to him as an income upon which, under this bill, he would have to pay taxes.

That proposition is without merit, as a reading of this bill shows, because if he borrows \$5,000 and invests it in the building of a home or the purchase of a home or in other business that is not a net income and would not come under the taxing provisions of this bill.

Now, one other proposition. It has been urged here that the idle rich would escape the provisions of this bill and that the wealth of Carnegie and Rockefeller would escape taxation. That is a mistake. The rich idler is taxed under this bill, because his capital is employed. Wealth is the subject of taxation, profits made, and not the individual. The Rockefellers and the Carnegies have their money employed in business, not idle, and it will be taxed under the provisions of the first section of this bill.

Under the provisions of this measure the idle rich, as has been charged, do not escape, but, on the contrary, must pay. Large holders of wealth may be idle, but their wealth is not. They keep it employed earning more money, and it is not the person who is taxed, but the earnings of his money. Many very rich persons are not employed, but their capital is kept busy all the time earning profits, and under this bill in all such cases they will be required to pay the tax provided for in this measure. That is the object of the measure, and that is the feature which commends it to the favorable consideration of the people.

I am somewhat surprised at the position of gentlemen on that side when they say they are opposed to this bill because it would require the thrift of the country to be taxed, because it would require the business institutions of the country to pay a tax. What have you been doing all these years by your tariff legislation? You have been taxing every individual in this land to make a profit to the owners of the great industries of this country. By your tax laws, for every dollar you have derived in revenue to the Government you have collected from the pockets of the people \$7 as an unearned profit to the owners of the great industries of this country. [Applause on the Democratic side.] You have levied a tax upon every consumer in this country for the benefit of the Sugar Trust; you have levied a tax upon every farmer and mechanic in this country for the benefit of the Steel Trust.

What is the difference between this tax which we propose and the one that you propose? We propose that this tax shall be levied and collected as revenue to the Government, and every dollar of it will go into the Treasury as revenue. Your policy has been to tax the people of this country, not for revenue, but as an unearned profit to the great protected industries of the country. This constitutes the distinction between the policy we propose by this measure and the one which your party has enforced for these many years it has been in power. The question therefore to be settled is, Shall we adopt a policy which raises revenue for the Government or one that raises revenue for private business? Shall the many be taxed to support the Government or the private business enterprises of a favored few? This is the real issue, and the people fully realize the distinction.

Upon this issue, my fellow Democrats, we can go to the country and safely rely upon the sound judgment of the American people to indorse our position. And when gentlemen on the other side say that they welcome this issue in the coming campaign, I say to them, also, we are ready and will meet them in the forum and on the hustings to discuss this question before the American people between now and the 5th day of next November, which day we long for, as it will usher in a great Democratic victory achieved by the voters of this country in behalf of the Democratic Party. [Applause on the Democratic side.]

The gentleman from Connecticut [Mr. HILL] says, if you want to raise revenue for the Government, why do you not put a stamp tax on bank checks? We are going to raise the money more equitably and fairly to the American people through this measure, by obtaining this revenue from those who are the better able to pay it. When a tax is placed on bank checks revenues are raised without reference to the amounts of the

same, and its burdens are inequitably distributed and do not fall on those best able to bear them. Such an objection should always have consideration in the enactment of every revenue measure, and it will be observed this measure wisely escapes that objection, and this will commend it with great favor to the people of the country. They will approve this feature and indorse its manifest fairness.

It taxes those who have heretofore escaped paying their proportion of taxes to support the Government.

Mr. HILL. If you want to raise more money, why do you not increase the tax on rum and tobacco?

Mr. CULLOP. In reply to the gentleman I would say these subjects will receive proper attention at the hands of the Democratic Party, as it believes in the equalization of the burdens for the support of the Government. It also believes in taxing luxuries highest and necessities lowest, and it proposes to apply this rule in all taxation before it is through, and these items will receive proper attention at the proper time.

The CHAIRMAN. The time of the gentleman from Indiana has expired. Under the order of the committee debate on this amendment is closed. The Clerk will report the amendment of the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Page 3, line 1, strike out the words "Provided, That no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate."

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 35, noes 56.

Accordingly the amendment was rejected.

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

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

The Clerk read as follows:

Amend, section 2, by adding the following:

"And provided further, That the provisions of this act shall not apply to the Chief Justice of the United States and the Associate Justices of the Supreme Court of the United States or to the judges of the inferior courts of the United States established by Congress."

Mr. TOWNER. Mr. Chairman, I offer this amendment for the purpose of making this tax, if possible, come under the provisions of the Constitution of the United States. Article III, section 1, provides as follows:

The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation, which shall not be diminished during their continuance in office.

It is hardly necessary to say that under the terms of this act Congress, which has fixed the compensation of these judges, now diminishes it by the amount which they will be compelled to contribute in the payment of this so-called tax from their salaries. This is in direct conflict with the plain terms of the Constitution.

I offer this amendment also for the purpose of calling the attention of this House to the manner in which this bill has been drawn; to the absolute disregard of the Constitution and its requirements; to the carelessness with which its provisions have been thought out. This bill has been drawn in the nature of, if not with the name of, an income tax. But, Mr. Chairman, to draw a general income tax is a work that requires the most careful attention. It is a work to which should be given the best thought and attention of the Members of this House. It should not be hastily framed as a political expedient. It should be carefully considered and carefully drawn, and the Members on this side of the House are ready to give that kind of care and attention to that work and to support such a bill when it shall be presented. But now to have this character of bill presented with the provisions which gentlemen on that side must certainly recognize as not well considered, is not the work of statesmen or of Members who remember their obligations to their country in the passage of important legislation of this kind.

If it shall be deemed by these gentlemen as necessary to act hastily, let me suggest to them that it would have been an easy matter for them to have changed the phraseology of the present corporation-tax law by amending it to read 2 instead of 1 per cent that should be paid as a tax on the income of a corporation, and they would have added \$30,000,000 to the revenue of the country, and accomplished it in a way that the Supreme Court has already determined is absolutely constitutional. But these gentlemen who are so ready to use their invective and denunciation against these gigantic corporations when upon the floor of the House have nothing now to add by way of penalizing them when they have the opportunity so to do. It seems to me, Mr. Chairman, that this amendment is necessary to correct a

feature of this bill where it has not been well and carefully considered. [Applause.]

Mr. FOSTER of Illinois. Mr. Chairman, I am not a lawyer, but it occurs to me that it is rather amusing to listen to the speech of the gentleman from Iowa [Mr. TOWNER], who seems to think that this side of the House has illy considered this bill and other legislation of this character, and that he should see fit to suggest to this side of the House in the closing moments of debate how we might change the corporation law so as to get \$30,000,000 more. It seems strange to me that the gentleman should make the statement that this bill should not apply to the judges of the Supreme Court as to their salaries, and then argue to this House—and I take it he is a good lawyer—in the manner he does, but he is now talking politics himself. Then, when he makes the statement that Congress has no right to tax the judges of the Supreme Court and that it is taking away from their salaries, it occurs to me that Congress has as much right to tax the members of the Supreme Court as it has the man out in Iowa or Illinois. [Applause.]

I do not look upon the salaries of the judges of the Supreme Court with such awe, nor do I look upon their occupying so high a place that the same law ought not to apply to them as to other people. They ought to be willing, and I judge they are, as great jurists as I believe them to be, to pay out of their salaries a just proportion for the support of this Government.

Mr. TOWNER. Will the gentleman yield?

Mr. FOSTER of Illinois. Yes.

Mr. TOWNER. This is not a tax on the amount of property, but under the terms of this act it applies to the income which they receive. Congress has fixed the income. Congress now by this act reduces the income and therefore they are deprived of the salary that the Constitution of the United States says shall not be diminished during their term of office.

Mr. FOSTER of Illinois. I will say that in my judgment this does not decrease the salary of a judge of the Supreme Court of the United States one cent. The statement might be made with equal force that we ought not to tax them on their homes in which they live for fear that it would reduce their salaries. The gentleman from Iowa surely does not contend that. We have a perfect right to tax the members of the Supreme Court who own houses in the city of Washington. That amount has to come out of their salaries to pay those taxes, and why should not Congress have the right to take from their salaries a portion of their income to pay their portion of the expenses of this Government? [Applause.]

Mr. TOWNER. Will the gentleman allow me to call his attention to the proviso of the bill which directs the disbursing officers of the Government to "deduct and withhold the aforesaid tax of 1 per cent"?

Mr. FOSTER of Illinois. That is only the manner of collecting the tax; an administration provision of the bill.

Mr. GREEN of Iowa. Mr. Chairman, I intend to vote for the bill, and wish to express my reasons therefor. Notwithstanding the statement to the contrary of gentlemen on both sides of the House, I deny that this is a partisan measure. For more than 50 years the Republican Party has applied the principle which it is sought here to enforce, in so far as permitted by the decisions of the Supreme Court, by this bill. In this House and in the Senate almost every man, both Republican and Democrat, has in various ways supported this principle. It is said that this bill is an attempt to impose an income tax in disguise. I shall not undertake to discuss that question, but if it was so, it would make little difference with my vote. I have always been in favor of an income tax as the fairest, the most just, and most equitable way of imposing taxation. [Applause.] I believe that this bill is a step in that direction. It may be that it is a feeble and halting step, fettered as we possibly are by the decision of the Supreme Court; but nevertheless the trend of it is in the direction that a taxing system ought to go, namely, to place the burdens of the Government upon those who are best able to bear them. [Applause.] When this bill, if it should become an act, comes before the Supreme Court, the question must inevitably arise as to the validity of an income tax, and it is my desire, so far as I am concerned, that that question should again be submitted. I have never believed, and do not now believe, that the decision in the Pollock case was correct, and it certainly was not in accordance with the prior decisions of the court which rendered it. Such being the case, considering the manner in which the court is now constituted, I believe that a different decision would be rendered, and I hope to see it rendered on this bill when submitted to it. [Applause.]

Mr. O'SHAUNESSY. Mr. Chairman, it appears to me that the mission of the Democratic Party, through the Democratic majority in this House, is to restore in the Government a confidence now badly shattered; that that confidence has been shat-

tered in a large degree is evidenced by the presence in this Chamber of a Member of the Socialist Party. His membership in this House is a concrete expression of the dissatisfaction resulting from the widening gap between those who have and those who have not, and in contemplating that condition in our national affairs one is led to the conclusion that immense fortunes have been made and amassed through a series of laws absolutely designed to build up great wealth in the hands of a few to the absolute impoverishment of millions of American citizens. [Applause.] There is no questioning the fact that the poor man never escapes taxation. It is an absolute impossibility for him to escape it. He constitutes the level upon which the weight of taxation rests, and the taxgatherer never fails to find him. The rich, with their devious methods of evasion, with their employed legal subtleties, with their ability to skip from State to State, find it easy to get away from the imposts that are levied for the support of government; and so in coming to the support of this bill the Democratic majority rejoices in the opportunity to raise the burden of taxation from the shoulders of the many and to place a portion of that taxation upon the shoulders of those well qualified and well able to sustain it. [Applause.]

The great difference in fortunes has made discontent rife, and precipitated into the arena of political discussion wild and vague theories of government cunningly calculated to destroy its very foundations. We have to face the situation as we find it and to make laws in accordance with the Constitution, which will bring a better era of feeling and prove to the people that the Government is for all men and their welfare and not for the few. There is no need of any hysterical legislation; there is no need of any radical changes in our form of government; but there is decided need for our present agencies of government, acting with impartiality and in accordance with the beliefs of the founders of this Government, to keep forever established the principle of equal opportunities for all, and special privileges to none.

It has been said by the majority leader in this debate [Mr. UNDERWOOD] that the decision of the United States Supreme Court in 1894 holding the income tax to be unconstitutional gave rise to a belief on the part of the people that the rich were exempt from the taxing power of Congress. How well founded that claim was is proved by the prophetic utterance of the now Chief Justice of the United States Supreme Court, Justice White, who, at that time, in his dissenting opinion, called forcible attention to the fact that the majority of the court had by their decision overthrown—

a long and consistent line of decisions, and denied to the legislative department of the Government the possession of a power conceded to it by universal consensus for 100 years, and which has been recognized by repeated adjudications of this court.

He sounded a warning against the policy, then being enunciated by the court, which would reverse the past, make helpless the power of the Nation to raise revenue through a time-honored custom, especially in the hour of national danger, and implant in the hearts of the people a distrust not easily overcome. It is fitting to again quote his words and match the conditions of our day with what he said would come to pass.

My inability to agree with the court in the conclusions which it has just expressed causes me much regret. Great as is my respect for any view by it announced, I can not resist the conviction that its opinion and decree in this case virtually annuls its previous decisions in regard to the powers of Congress on the subject of taxation, and is therefore fraught with danger to the court, to each and every citizen, and to the Republic. The conservation and orderly development of our institutions rests on our acceptance of the results of the past and their use as lights to guide our steps in the future. Teach the lesson that settled principles may be overthrown at any time, and confusion and turmoil must ultimately result. In the discharge of its functions of interpreting the Constitution this court exercises an august power. It sits removed from the contentions of political parties and the animosities of factions. It seems to me that the accomplishment of its lofty mission can only be secured by the stability of its teachings and the sanctity which surrounds them. If the permanency of its conclusions is to depend upon the personal opinions of those who from time to time may make up its membership it will inevitably become a theater of political strife and its action will be without coherence or consistency. There is no great principle about constitutional law, such as the nature and extent of the commerce power, or the currency power, or other powers of the Federal Government, which has not been ultimately defined by the adjudications of this court after long and earnest struggle. If we are to go back to the original sources of our political system or are to appeal to the writings of the economists in order to unsettle all these great principles, everything is lost and nothing saved to the people.

The rights of every individual are guaranteed by the safeguards which have been thrown around them by our adjudications. If these are to be assailed and overthrown, as is the settled law of income taxation by this opinion, as I understand it, the rights of property, so far as the Federal Constitution is concerned, are of little worth. My strong convictions forbid that I take part in a conclusion which seems to me so full of peril to the country. I am unwilling to do so, without reference to the question of what my personal opinion upon the subject might be if the question were a new one, and was thus unaffected by the action of the framers, the history of the Government, and the long line of decisions by this court. The wisdom of our forefathers in adopting a written Constitution has often been impeached upon the theory that the

Interpretation of a written instrument did not afford as complete protection to liberty as would be enjoyed under a constitution made up of the traditions of a free people. Writing, it has been said, does not insure greater stability than tradition does, while it destroys flexibility. The answer has always been that by the foresight of the fathers the construction of our written Constitution was ultimately confided to this body, which, from the nature of its judicial structure, could always be relied upon to act with perfect freedom from the influence of faction and to preserve the benefits of consistent interpretations. The fundamental conception of a judicial body is that of one hedged about by precedents which are binding on the court without regard to the personality of its members. Break down this belief in judicial continuity and let it be felt that on great constitutional questions this court is to depart from the settled conclusions of its predecessors and to determine them all according to the mere opinion of those who temporarily fill its bench, and our Constitution will, in my judgment, be bereft of value and become a most dangerous instrument to the rights and liberties of the people.

[Applause.]

In the same dissenting opinion he said:

The facts, then, are briefly these: At the very birth of the Government a contention arose as to the meaning of the word "direct." The controversy was determined by the legislative and executive departments of the Government. Their action came to this court for review, and it was approved. Every judge of this court who expressed an opinion made use of language which clearly showed that he thought the word "direct" in the Constitution applied only to capitation taxes and taxes directly on land. Thereafter the construction thus given was accepted everywhere as definitive. The matter came again and again to this court, and in every case the original ruling was adhered to. The suggestions made in the Hylton case were adopted here, and, in the last case here decided, reviewing all the others, this court said the direct taxes within the meaning of the Constitution were only taxes on land and capitation taxes. And now, after a hundred years, after long-continued action by other departments of the Government, and after repeated adjudications of this court, this interpretation is overthrown and the Congress is declared not to have a power of taxation which may at some time, as it has in the past, prove necessary to the very existence of the Government.

At the time Justice White delivered this dissenting opinion, so pregnant with meaning and significance, the court held the income tax to be unconstitutional because it levied a direct tax on the income from real estate and from municipal bonds. As to whether Congress could levy a tax on incomes derived from other sources the court were evenly divided, standing 4 to 4. Acting upon a petition for a rehearing, the court, with a full bench of nine members, again held the tax to be unconstitutional by a vote of 5 to 4. Justice Jackson, who did not sit in the first case, sided with the four who had voted at the first hearing for the constitutionality of the tax upon incomes derived from other sources than that raised from real estate and municipal bonds. But one of the four who, in the first instance, had voted for the constitutionality of the tax went over to the other side, thereby giving a majority against the constitutionality of the tax, and causing the court to reverse the precedents of a century. Well may we ponder at this stage of our national life the words of Justice Harlan in his dissenting opinion:

I have a deep, abiding conviction, which my sense of duty compels me to express, that it is not possible for this court to have rendered any judgment more to be regretted than the one just rendered.

He called attention to the vast sums of money that had been raised to prosecute and bring the Civil War to a successful close through the instrumentality of an income tax, and that the court was now saying, in effect, that all of that money had been taken from the people in disregard of the Constitution.

Citing Oliver Ellsworth, whom John Adams declared to be the firmest pillar of Washington's administration in the Senate, Justice Harlan recalled that great statesman's words in the Connecticut convention of 1788, when he said:

Wars have now become rather wars of the purse than of the sword. Government must, therefore, be able to command the whole power of the purse; otherwise a hostile nation may look into our Constitution, see what resources are in the power of Government, and calculate to go a little beyond us; thus they may obtain a decided superiority over us and reduce us to the utmost distress. A government which can command but half its resources is like a man with but one arm to defend himself.

Noting the special privilege that would be conferred upon the wealthy class of our population, he said:

By its present construction of the Constitution the court, for the first time in all its history, declares that our Government has been so framed that in matters of taxation for its support and maintenance those who have incomes derived from the renting of real estate or from the leasing or using of tangible personal property, or who own invested personal property—bonds, stocks, and investments of whatever kind—have privileges than can not be accorded to those having incomes derived from the labor of their hands or the exercise of their skill or the use of their brains.

To those who have a fear of the United States Supreme Court rejecting this proposed excise law as unconstitutional the words of Justice Brown in his dissenting opinion are timely:

Congress ought never to legislate, in raising the revenues of the Government, in fear that important laws like this shall encounter the veto of this court through a change in its opinion or be crippled in great political crises by its inability to raise a revenue for immediate use.

Justice Jackson in his dissenting opinion said:

The practical operation of the decision is not only to disregard the great principles of equality in taxation, but the further principle that in the imposition of taxes for the benefit of the Government the burdens thereof should be imposed upon those having most ability to bear them. This decision, in effect, works out a directly opposite result in relieving the citizens having the greater ability, while the burdens of taxation are made to fall most heavily and oppressively upon those having the least ability.

The Republican Senator from Idaho [WILLIAM E. BORAH], speaking in the United States Senate on May 3, 1909, said, in reviewing the history of the United States Supreme Court upon the constitutionality of the income tax:

In the first place we must bear in mind that during the hundred years which preceded the Pollock case 21 judges occupying places upon that high tribunal had decided in favor of an income tax and of its constitutionality or had given such definition to the phrase "direct tax" as would sustain an income tax. Against those 21 judges, in the whole history of the court, there have been but 5 judges during that entire period who dissented. In other words, 5 judges alone in the whole history of the Supreme Court, from its organization to the present hour, have decided that an income tax was unconstitutional, while 21 judges have written opinions or joined in opinions to the contrary. Amongst those who have taken the view that an income tax is constitutional and that a direct tax relates only to land, capitation taxes, and taxes on improvements upon land are the elder Chase, Patterson, Iredell, Wilson, Chief Justice Chase, Nelson, Grier, Clifford, Swayne, Miller, Davis, Waite, Hunt, Strong, Bradley, Jackson, Brown, Harlan, White, and Ellsworth. Since the organization of that court every single writer upon constitutional law in America has adopted the view that a direct tax related alone to land and capitation taxes.

The surest avenue to discontent among the masses of the people is the granting of special privilege to the few. How brilliant and forceful and caustic was the dissection by the Republican Senator, John J. Ingalls, of the conditions that inspired his antagonism. Speaking in the Senate, on January 14, 1891, of the distribution of wealth in the United States, he said:

A table has been compiled for the purpose of showing how wealth in this country is distributed, and it is full of the most startling admonition. It has appeared in the magazines, it has been commented upon in this Chamber, it has been the theme of editorial discussion. It appears from this compilation that there are in the United States 200 persons who have an aggregate of more than \$20,000,000 each. Four hundred persons possess \$10,000,000 each, 1,000 possess \$5,000,000 each, 2,000 possess \$2,500,000 each, 6,000 persons possess \$1,000,000 each, and 15,000 persons \$500,000 each, making a total of 24,600 people who possess \$36,250,000,000. Mr. President, it is the most appalling statement that ever fell upon mortal ears. It is, so far as the results of democracy as a social and political experiment are concerned, the most terrible commentary that ever was reported in the book of time; and Nero fiddles while Rome burns. It is thrown off with a laugh and a sneer, "as the froth upon beer" of our social and political system. As I said, the assessed valuation recorded in the great national ledger standing to our credit is about \$65,000,000,000. Our population is 62,000,000, and by some means, by some device, by some machination, by some incantation, honest or otherwise, by some process that can not be defined, less than two-thousandth part of our population have obtained possession—and have kept out of the penitentiary in spite of the means they have adopted to acquire it—of more than one-half of the entire accumulated wealth of the country.

This is not the worst, Mr. President. It has been largely acquired by men who have contributed little to the material welfare of the country, and by processes that I do not care in appropriate terms to describe, by the wrecking of the fortunes of innocent men, women, and children, by jugglery, by bookkeeping, by financing, by what the Senator from Ohio calls "speculation," and this process goes on with frightful and constantly accelerating rapidity. The entire industry of the country is passing under the control of organized and federated capital.

In his essay on "The present distribution of wealth in the United States," Charles E. Spahr, Ph. D., classified the wealth of the country according to the following table:

The United States, 1890.

Estates.	Number of families.	Aggregate wealth.	Average wealth.
The wealthy classes, \$50,000 and over . . .	125,000	\$33,000,000,000	\$264,000
The well-to-do classes, \$5,000 to \$50,000 . .	1,375,000	23,000,000,000	16,000
The middle classes, \$5,000 to \$500 . . . . .	5,500,000	8,200,000,000	1,500
The poorer classes under \$500 . . . . .	5,500,000	800,000,000	150
Total . . . . .	12,500,000	65,000,000,000	5,200

He concluded that seven-eighths of the families held but one-eighth of the national wealth, while one-eighth of the families held the remaining seven-eighths. In his classification of incomes he found that more than five-sixths of the incomes of the wealthiest class are received by the 125,000 richest families, while less than one-half of the incomes of the working classes are received by the poorer 6,500,000 families.

He sums up the situation by saying that one-eighth of the families in America receive more than half of the aggregate income and the richest 1 per cent receives a larger income than the poorest 50 per cent.

In fact—

He says—

this small class of wealthy property owners receives from property alone as large an income as half of our people receive from property and labor.

I do not believe that there is any greater proportionate distribution of wealth among the masses of the people to-day than in 1890, and no doubt the same proportion of distribution obtains among the 18,000,000 families of to-day, and the estimated \$150,000,000,000 of our national wealth.

These figures are more eloquent than the speeches of statesmen; they spell gross inequality, and unequal opportunity. They furnish fuel to the flame of discontent and dissatisfaction. They provoke a restless longing for a change in government. The people have been baffled in their legitimate desire for legislative and judicial expression of their civil needs. Let the Supreme Court say that this bill is constitutional—and we must remember that the President has expressed confidence in the ability of Congress to frame a constitutional measure—let its workings testify to the power of government to exact from the possessors of great fortunes a fair measure of the burden of taxation, and I venture the prophecy that the demand for the recall of judges will pass away, only to be remembered as an ephemeral expression of popular discontent. The spectacle of 51 men possessing \$3,295,000,000 and wielding a life-and-death influence upon our commercial life, and at the same time escaping the burdens of taxation is poorly calculated to sustain a profound faith in the Government.

That conservative Republican statesman, Senator John Sherman, whose name was connected with every great financial measure from 1860 to 1900, said in 1882:

The public mind is not yet prepared to apply the key to a genuine revenue reform. A few years of further experience will convince the whole body of our people that a system of national taxes which rests the whole burden of taxation on consumption and not one cent on property or incomes is intrinsically unjust. While the expenses of the National Government are largely caused by the protection of property, it is not right to require property to contribute to their payment. It will not do to say that each person consumes in proportion to his means. This is not true. Everyone must see that the consumption of the rich does not bear the same relation to the consumption of the poor as the income of the one does to the wages of the other. \* \* \* As wealth accumulates this injustice in the fundamental basis of our system will be felt and forced upon the attention of Congress.

Has the time not come to change the system of taxation so as to relieve consumption and make incomes stand their share?

Why does the Republican Party fail to heed the warnings and admonitions of those who had prevision and cling instead to a system that enriches beyond the dreams of avarice a favored few, with disastrous consequences to the great body of the people?

Ex-President Roosevelt has declared himself on the subject in the following language:

When our tax laws are revised the question of an income tax and an inheritance tax should receive the careful attention of our legislators. In my judgment, both of the taxes should be part of our system of Federal taxation.

Some people have expressed a fear as to the realization of a sufficient amount of money through the agency of an income tax. The successful operation of the tax in this country from 1863 to 1873 may well dissipate any fears on that score. Beginning with \$2,000,000 in 1863, it reached \$73,000,000 in 1866, and in the period covered from 1865 to 1870 it realized in all about \$285,000,000. It has been a source of steady income in Great Britain from 1842. In that country it was first imposed by Pitt in 1798 in order to meet the expenses of the French War. It was imposed with varying rates and exemptions in 1803, 1805, and 1807. It was abolished in 1816 and reimposed by Sir Robert Peel on June 22, 1842, at the rate of 7d. in the pound on all incomes exceeding £150. In 1842 the tax produced about £5,000,000, and in 1909-10 the amount produced was £37,679,902, or about \$180,000,000.

If this bill becomes a law—and it has been drafted with a care to impress the court with its constitutionality—I believe it will inspire confidence in the Government and prove to the people that the great fortunes of the country must submit to the taxing power of Congress. Intrenched wealth can laugh at the storms of panics; sitting in luxury on the hilltops, it can complacently look down on the multitude in the valley struggling for an existence. Would for the betterment of Democratic institutions and the permanency of our Government that these great fortunes had not in so many instances been built up by the largesse of our tariff laws, wringing tribute from the masses for the enrichment of a few manufacturers. Would that the great fortunes of our country were not built upon watered stocks, which have taken millions from a credulous public, duped by the engraver's art and printer's ink in the form of gilded certificates frequently of about as much value as wall paper.

This bill is a fitting complement to the free-sugar bill, which deprives the Treasury of \$53,000,000 of revenue; this measure will give in its stead \$60,000,000. The sugar bill relieves the consumer of a tax of 2 cents per pound on sugar; and this bill,

taxing all incomes above \$5,000 per annum made in business, will reach out to the fortunes of the Carnegies, the Rockefellers, the Morgans, the Vanderbilts, and their like, and teach their possessors, through its exactions and provisions, that men must contribute to the support of the Government whose departments and agencies protect their property and through whose protection and, in many instances, the bounties of the Government those fortunes were acquired.

The Democratic Party seeks to establish not only confidence in the Government by impressing upon the public mind the fact that wealth as well as poverty must bear its fair share of taxation, but also seeks to reestablish through the decision of the Supreme Court the precedents of a century so unfortunately overthrown by the change of one jurist's mind in 1895.

Mr. CONNELL. Mr. Chairman, a few minutes ago the distinguished gentleman from Illinois [Mr. MANN], the musical, though occasionally discordant and sometimes dramatic, leader of the minority, announced that it is no wonder that the business and industry of the country are well-nigh paralyzed now. That was an emphatic and dominant note from the chorus of disaster which has been swelling and falling until it became the requiem of calamity, running all through this debate on that side of the House.

But, come to think of it, the wonder is that there is not some truth in the wail of woe and that business has not long since been paralyzed and industry destroyed, for so long have the destinies of the Nation been in the hands of standpatters and minions of special privilege that it is like unto a miracle that anything at all remains out of the hands of a few favorites, as, indeed, nothing would have survived had it not been for the splendid capacity and industry of the American people. [Applause on the Democratic side.]

But, Mr. Chairman, I rose that, out of the redundancy of Democratic good will, I might help out the minority, and I know I can do so if they will but take my advice. Having leveled all the chimneys in the country, having quenched all the fires in everything but the fireflies, having broken all the staves upon which we used to lean, having stopped all the locomotives and bedeviled all the bridges, not to speak of having silenced all the whistles from Maine to California—yes; having gone from one end of the country to the other, devastating and blasting with this Democratic legislation, which you all say can never be enacted into law, the hopes of humanity in general—I say, having done all this, let me give you an argument which will appeal to the intelligence of the Nation ever more strongly than any of the arguments which you have thus far presented.

Look, Mr. Chairman, how the sun comes out in his regal glory to-day. See how the springtime is beginning to break upon us, flooding the world with its charms, and behold how its glints appear amid the varied colors of this historic ceiling. Hear the cardinal, blithe warbler of the budding year, as he sings in the parks around the Capitol, little recking his impending doom, for, Mr. Chairman, the spring will not spring, the buds will not blow, the leaves will not come out again. Ah, yes; and "the law will stop the blades of grass from growing as they grow" just so surely as we find truth and logic in the arguments that you have made against this bill. [Applause on the Democratic side.]

Still, I give you this appealing issue, for you need it. You have left nothing that can be an issue of life and meaning but the weather. You have destroyed all else. [Laughter and applause on the Democratic side.] Only a moment ago the minority, led by the distinguished former Speaker of the House, Mr. CANNON, seemed to be uniting in the revised chant, "What shall we do when the Democrats break the country up?" [Laughter and applause on the Democratic side.]

During this debate you have pointed out that everything is wrong and that there is crimson catastrophe on all sides, so far as this mundane sphere is concerned. But there remain the heavens and what you have spared from the once bounteous earth. Look to these and sound the alarm, lest they, too, perish. Arise, ye patriots of calamity, and declare that the Democracy will put the universe out of order, lengthen the day, extend the night, dim the stars, tax the income of the man in the moon, and change our computation of time. [Applause and laughter on the Democratic side.]

Appeal to the people and tell them that there will be no flowers on the hillsides, no daisies in the dells, and that the brooklets will never more murmur their songs as they ripple down the mountain to the vale below. Tell them that the trees will no longer whisper in the twilight their romantic gossip of the glories of nature anywhere in these unhappy United States. Yes, tell them that the valleys will retain their snow and ice the whole year round as the result of Democratic success.

[Applause and laughter on the Democratic side.] When you have done all this, you will have an issue which can not fail to appeal to everybody, and it will be as logical, far more eloquent, and infinitely more poetic than any issue that you can ever coin again out of the ghostly memories of your past. In the meantime we must stick to our old issue, which, like the one I have just given you, will reach everybody beneath the flag and in the flying machines above it, namely, the high cost of living, and the mission of the Democracy to bring it down and relieve the masses of the burdens of unnecessary taxation. It is an old-fashioned issue to be sure, but we shall stick to it, even though you go on proving in your own more or less comprehensive way that to give the people such relief will be to destroy and strike down all that now remains standing. [Applause on the Democratic side.]

Mr. LONGWORTH. Mr. Chairman, I have already addressed the House at some length upon this subject and did not intend to consume any more time, but in view of the fact that during this debate so much has been said to obscure the real issue before us, it seems to me that before voting we had better ascertain what we are voting on. I hope even the eloquent poem which has just been recited on the birds and flowers and the weather may not blind our eyes altogether to the real question.

Throughout the course of this debate gentlemen have argued eloquently and learnedly in favor of an income tax, but the bill before us today is not an income tax. Gentlemen have argued ably and learnedly that the Supreme Court might modify or change the decision in the Pollock case should an income-tax bill be brought before them. But this is not an income-tax bill. What is this bill? It is an excise tax on the annual gains of partnerships and individuals from doing business. What is its object? It is to raise revenue. How much revenue? The revenue made necessary by abrogating the duties in the sugar schedule. Gentlemen of the majority say that this bill will raise \$60,000,000 of revenue. I do not believe that they have any idea it will. Certainly I do not believe that any reasonable man who examines the conditions can conceive this to be at all possible. It is perfect and absolute folly to say that there are in this country incomes of \$6,000,000,000 a year, not earned by corporations, not earned from the bonds of States, counties, and municipalities, not earned by people having an income of less than \$5,000 a year. The statement is absurd upon its face. This bill can not raise \$60,000,000 or even a fraction of that sum, even though it should be constitutional in every respect. I am willing to admit, so far as I am concerned, that this bill is constitutional in so far as it taxes business incomes. The question that will come before the court, if this bill should ever have to be construed, would be whether or not any given income taxed is in fact a business income. There will be no other question before the court, and think, Mr. Chairman, of the interminable lawsuits that such a procedure would make necessary. I can not bring myself to believe that it is just in measuring the income of an individual to include with it incomes which are not in any sense earned from business, as is provided in the case of corporations in the corporation-tax law. The two things seem to me essentially different. But whether that be true or not this bill is not justifiable either as a revenue measure or as a fair and well-considered system of taxation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MCKENZIE. Mr. Chairman, I presume that all taxes levied by civilized countries upon the citizens would be conceded without argument to be a burden upon the citizen; especially is this true of a tax such as the one proposed by this bill. The burden of taxes is one of the penalties the citizen pays for being civilized, or rather for the privileges and blessings he enjoys while living in a civilized community, and in the security of his protected rights of life, liberty, and pursuit of happiness. The savage who dwells in a tent and is content with the simple life of a barbarian escapes these burdens. It is true we all complain more or less about the taxes we have to pay, but it has been my observation that when the taxpayers see the money collected from them honestly, intelligently, and economically expended in caring for the unfortunate, the education of the young, and the consistent improvement and development of the community, State or Nation, little complaint is heard. But it is the extravagant waste and needless expenditure of the money collected from the people by those intrusted with the control of public affairs that arouses the feeling of discontent, and as the burden grows heavier from year to year the masses become more and more dissatisfied and desperate. Revolution is the final climax and the glory of a hundred or a thousand years of national fame goes out in darkness; the historian closes his book and begins another chapter in the history of the human race.

It has been asserted that this bill is an unjust burden upon the energy and frugality of the citizen. All direct taxes levied upon the income or earning power of the citizen must necessarily be so, and I know of no principle in the field of taxation whereby the emulators of the fabled youth and his clarion motto can escape. It has been well said that the fathers of the Republic wrought wisely when they devised the scheme of indirect taxation for the Government, reserving the method of direct taxation to the States. This is as it should be, in my judgment. However, I am not opposed to the principle of an income or excise tax levied by the Government in cases of emergency, and I think that the Government should have the unquestioned power and authority to make use of this method of raising revenue in time of war or other national calamity, and so believing, it was with pleasure, while serving as a member of the Illinois Senate, that I voted for the approval of the proposed amendment to the Constitution of the United States which will forever put at rest the question of the Government's power and authority under the Constitution to levy and collect such a tax. Neither am I opposed to the principle of special taxation, and I earnestly advocated and voted for the enactment of the present inheritance-tax law in the State of Illinois. But I am just as emphatically opposed to the National Government making use of these methods of taxation in times of peace, and thereby usurping a power of taxation which should be reserved to the respective States. The State which I have in part the honor to represent is, as has been well said, "an empire of itself."

The necessity for raising additional revenue is becoming greater each year in that great Commonwealth, and I assert, as one of her citizens, that the privilege of levying special taxes upon the wealth of the citizens should be reserved to the State, except in case of national emergency, when in such case Illinois will again, as she always has, cheerfully contribute of her substance, and sons, if necessary, for the maintenance and perpetuity of our great Nation. It has been asserted on this floor that we are now facing an emergency—a deficit in the National Treasury—which will result from the reduction of some \$50,000,000 in the revenue by the passage of the free-sugar bill. This argument, in my judgment, is not sound, and I feel constrained to say that by economical management of governmental affairs there will be no deficit, even with sugar on the free list; and, further, should such a thing be possible the field of internal revenue, which is the undisputed domain of the Federal Government for the purposes of raising revenue, has scarcely been touched, and the possibilities of the same are unknown, but evidently so rich that there can be no possible danger of the Government coming to want for needed revenue for ages yet to come. I am fully aware of the value of this piece of legislation as a campaign argument. The wonderful possibilities of the demagogue on the stump eloquently and dramatically portraying the misfortune and injustice of the humble citizen and his wonderful sympathy for him and what he would do "to the idle rich" would be no small thing. But, gentlemen of the committee, we are not legislating simply for the purpose of campaign arguments, but should in all our efforts be guided by what seems to us to be right. As I said before, I am not opposed to the principle involved in this bill or in special taxation levied upon the more fortunate of our citizens. But were it in my power to prepare a bill, I would make it more general than this and graduate it as the wealth of the citizen increased. But, feeling that this form of taxation should be forever reserved to the States, except in case of national emergency, I am opposed to the enactment of this law, believing that the respective States have greater burdens to bear than the National Government. I therefore have no hesitancy in voting against this measure. [Applause.]

Mr. HEFLIN. Mr. Chairman, every time the effort is made in this House to reduce the tariff tax upon the people the Republican side of this House presents the argument of the unconstitutionality of the measure, and every time that party gets the opportunity it increases the tax burden of the people. [Applause on the Democratic side.] Now, when the Democratic majority, speaking for the American people, undertakes to place the Government tax up those most able to bear it, the gentleman from Connecticut [Mr. HILL] comes forward with the Spanish-American war-tax scheme. That tax was paid by the people who were least able to pay it. [Applause.] The gentleman from Connecticut wants the stamp-tax law reenacted. Mr. Chairman, every poor man who had a few dollars in the bank had to pay the stamp tax every time he drew out a small sum of money. The poor man in distress who had to borrow money and give his note for it had to pay the stamp tax; the poor man who mortgaged his home or his farm or his crop or his horse or anything else had to pay a stamp tax; and when he finally lost

his home he had to pay the tax on the stamps that went upon the deed. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Mr. CONNELL. Mr. Chairman, I ask unanimous consent that the gentleman from Alabama be given five minutes more.

The CHAIRMAN. All time has expired. Under the order of the House two hours having been devoted to debate under the five-minute rule, in pursuance of the further order of the House the committee will now rise.

Accordingly the committee rose and the Speaker resumed the chair.

Mr. MOON of Tennessee. Mr. Speaker, the Committee of the Whole House on the state of the Union has had under consideration the bill H. R. 21214, and has directed me to report the bill to the House with the recommendation that the bill do pass with an amendment. There is also an amendment pending to the bill which has not yet been acted upon.

The SPEAKER. Under the order of the House the previous question is considered as ordered on the bill and amendments. The Clerk will report the amendments.

The Clerk read as follows:  
Amend, section 2, by adding the following:  
"And provided further, That the provisions of this act shall not apply to the Chief Justice of the United States and the Associate Justices of the Supreme Court of the United States, or to the judges of the inferior courts of the United States established by Congress."

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

The question was taken, and the amendment was rejected. The SPEAKER. The Clerk will report the next amendment. The Clerk read as follows:

Amend, page 5, line 12, by striking out the word "gross" and inserting the word "net" in lieu thereof.

The question was taken, and the amendment was agreed to. The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The question was taken, and the bill was ordered to be engrossed and read the third time.

The SPEAKER. The question is on the passage of the amended bill.

Mr. UNDERWOOD and Mr. MANN. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Alabama and the gentleman from Illinois both demand the yeas and nays.

The yeas and nays were ordered. The question was taken; and there were—yeas 253, nays 40, answered "present" 6, not voting 97, as follows:

YEAS—253.

Adair	Davenport	Hay	Moore, Tex.
Adamson	Davidson	Hayden	Morrison
Aiken, S. C.	Davis, Minn.	Hayes	Morse, Wis.
Ainey	Davis, W. Va.	Heflin	Mess, Ind.
Akin, N. Y.	Denver	Helgesen	Mott
Alexander	Dickinson	Helm	Murdock
Allen	Difenderfer	Hensley	Murray
Anderson, Minn.	Dixon, Ind.	Holland	Necley
Anderson, Ohio	Donohoe	Houston	Nelson
Ansberry	Doremus	Howard	Norris
Ashbrook	Doughton	Howland	Nye
Austin	Driscoll, D. A.	Hughes, Ga.	O'Shaunessy
Barchfeld	Dupré	Hughes, N. J.	Padgett
Barnhart	Dyer	Hughes, W. Va.	Page
Bartlett	Edwards	Hull	Parran
Bathrick	Ellerbe	Humphreys, Miss.	Patton, Pa.
Bell, Ga.	Esch	Jacoway	Pepper
Blackmon	Evans	Johnson, Ky.	Pickett
Boehne	Faison	Johnson, S. C.	Porter
Booher	Farr	Jones	Post
Bowman	Fergusson	Kendall	Pou
Broussard	Ferris	Kennedy	Powers
Brown	Finley	Kent	Pray
Buchanan	Floyd, Ark.	Kinkaid, Nebr.	Prouty
Bulkley	Focht	Kinkead, N. J.	Rainey
Burke, S. Dak.	Foss	Kitchin	Raker
Burke, Wis.	Foster, Ill.	Konop	Randell, Tex.
Burleson	Fowler	Kopp	Ransdell, La.
Burnett	Francis	Korbly	Rauch
Byrnes, S. C.	French	Lafferty	Redfield
Byrns, Tenn.	Garner	La Follette	Rees
Callaway	Garrett	Lamb	Reilly
Campbell	George	Langley	Roberts, Mass.
Candler	Glass	Lee, Ga.	Roberts, Nev.
Cantrill	Godwin, N. C.	Lee, Pa.	Roddenbery
Carlin	Good	Lenroot	Rodenberg
Carter	Goodwin, Ark.	Lever	Rouse
Catlin	Gray	Lindbergh	Rubey
Clayton	Green, Iowa	Linthicum	Rucker, Mo.
Cline	Gregg, Tex.	Lloyd	Russell
Collier	Hamilton, Mich.	Lobeck	Sabath
Connell	Hamilton, W. Va.	McCoy	Saunders
Conry	Hamiln	McGuire, Okla.	Scaully
Cooper	Hammond	McKellar	Sells
Covington	Hanna	McKinney	Shackleford
Cox, Ind.	Hardwick	McLaughlin	Sharp
Cox, Ohio	Hardy	Madden	Sherley
Crago	Harrison, Miss.	Maguire, Nebr.	Sherwood
Cravens	Harrison, N. Y.	Martin, Colo.	Simmons
Cullop	Haugen	Miller	Sims
Daugherty	Hawley	Moon, Tenn.	Sisson

Slayden	Stephens, Nebr.	Townsend	Willis
Slomp	Stephens, Tex.	Tribble	Wilson, Ill.
Sloan	Stevens, Minn.	Turnbull	Wilson, N. Y.
Small	Stone	Tuttle	Wilson, Pa.
Smith, J. M. C.	Sweet	Underhill	Witherspoon
Smith, Saml. W.	Switzer	Underwood	Woods, Iowa
Smith, Tex.	Taggart	Volstead	Young, Kans.
Sparkman	Talbott, Md.	Warburton	Young, Mich.
Stanley	Talcott, N. Y.	Watkins	Young, Tex.
Stedman	Taylor, Ala.	Webb	The Speaker
Steernerson	Taylor, Colo.	Wedemeyer	
Stephens, Cal.	Taylor, Ohio	White	
Stephens, Miss.	Thomas	Wickliffe	

NAYS—40.

Browning	Fordney	Howell	Needham
Calder	Gardner, Mass.	Humphrey, Wash.	Payne
Cannon	Gardner, N. J.	Knowland	Plumley
Crumpacker	Gillett	Lawrence	Reyburn
Currler	Greene, Mass.	Longworth	Sterling
Danforth	Harris	Loud	Sulloway
Dodds	Hartman	McKenzie	Tilson
Dodds	Henry, Conn.	Malby	Towner
Draper	Higgins	Mann	Utter
Driscoll, M. E.	Hill	Mendeil	Wilder
Fairchild			

ANSWERED "PRESENT"—6.

Rates	Flood, Va.	Jackson	Kahn
Burgess	Gallagher		

NOT VOTING—97.

Ames	Dwight	Lafean	Olmsted
Andrus	Estopinal	Langham	Palmer
Anthony	Fields	Legare	Patten, N. Y.
Ayres	Fitzgerald	Levy	Peters
Bartholdt	Fornes	Lewis	Prince
Beall, Tex.	Foster, Vt.	Lindsay	Pujo
Berger	Fuller	Littlepage	Richardson
Bingham	Goeke	Littleton	Riordan
Borland	Goldfogle	McCall	Robinson
Bradley	Gould	McCreary	Rothermel
Brantley	Graham	McDermott	Rucker, Colo.
Burke, Pa.	Gregg, Pa.	McGillicuddy	Sheppard
Butler	Griest	McHenry	Smith, Cal.
Cary	Gudger	McKinley	Smith, N. Y.
Clark, Fla.	Guernsey	McMorran	Speer
Claypool	Hamill	Macon	Stack
Copley	Heald	Maher	Sulzer
Curley	Henry, Tex.	Martin, S. Dak.	Thayer
Curry	Hinds	Matthews	Thistlewood
Dalzell	Hobson	Mays	Vreeland
De Forest	Hubbard	Moon, Pa.	Weeks
Dent	James	Moore, Pa.	Whitacre
Dickson, Miss.	Kindred	Morgan	Wood, N. J.
Dies	Konig	Oldfield	

The SPEAKER. The Clerk will call my name. The name of Mr. CLARK of Missouri was called, and he voted "aye," as above recorded.

So the bill was passed. The Clerk announced the following pairs:

For the session:  
Mr. GRAHAM with Mr. BUTLER.  
Mr. FORNES with Mr. BRADLEY.  
Mr. PUJO with Mr. McMORRAN.  
Mr. RIORDAN with Mr. ANDRUS.  
Until further notice:  
Mr. SHEPARD with Mr. BATES.  
Mr. CLARK of Florida with Mr. LANGHAM.  
Mr. MAYS with Mr. THISTLEWOOD.  
Mr. HINDS with Mr. GOULD.  
Mr. MCGILICUDDY with Mr. GUERNSEY.  
Mr. MCDERMOTT with Mr. PRINCE.  
Mr. OLDFIELD with Mr. BINGHAM.  
Mr. GALLAGHER with Mr. FULLER.  
Mr. ROTHERMEL with Mr. GRIEST.  
Mr. MAHER with Mr. DE FOREST.  
Mr. HOBSON with Mr. BARTHOLDT.  
Mr. FITZGERALD with Mr. COPLEY.  
Mr. MACON with Mr. SMITH of California.  
Mr. LITTLETON with Mr. DWIGHT.  
Mr. DENT with Mr. ANTHONY.  
Mr. LITTLEPAGE with Mr. BURKE of Pennsylvania.  
Mr. BEALL of Texas with Mr. CARY.  
Mr. BRANTLEY with Mr. DALZELL.  
Mr. FIELDS with Mr. CURRY.  
Mr. GUDGER with Mr. FOSTER of Vermont.  
Mr. CLAYPOOL with Mr. HEALD.  
Mr. HENRY of Texas with Mr. MCKINLEY.  
Mr. KINDRED with Mr. MARTIN of South Dakota.  
Mr. PALMER with Mr. MOON of Pennsylvania.  
Mr. CURLEY with Mr. VREELAND.  
Mr. PETERS with Mr. MATTHEWS.  
Mr. SMITH of New York with Mr. VREELAND.  
Mr. SULZER with Mr. WOOD of New Jersey.  
Mr. LEWIS with Mr. SPEER.  
Mr. GOLDFOGLE with Mr. LAFEAN.  
Mr. GOEKE with Mr. HUBBARD.  
Mr. JAMES (for income-tax bill) with Mr. MCCALL (against income-tax bill).

Mr. DIES (for income-tax bill) with Mr. KAHN (against income-tax bill).

Until noon, March 20:

Mr. FLOOD of Virginia with Mr. OLMSTED.

Until March 20:

Mr. PATTEN of New York with Mr. MOORE of Pennsylvania.

Mr. GREGG of Pennsylvania (for income-tax bill) with Mr. McCREARY (against income-tax bill).

Commencing March 11 and ending April 2:

Mr. BURGESS with Mr. WEEKS.

Until April 5:

Mr. THAYER with Mr. AMES.

The result of the vote was announced as above recorded.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### AMERICAN REGISTERS FOR SEAGOING VESSELS.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask unanimous consent that the time for filing views of the minority on the bill (H. R. 16692) to provide American registers for seagoing vessels, and so forth, be extended for seven legislative days (H. Rept. 405, pt. 2).

The SPEAKER. The gentleman from Washington asks unanimous consent that the time for filing the views of the minority on H. R. 16692 be extended for seven legislative days. Is there objection? [After a pause.] The Chair hears none.

#### PUBLICITY OF CONGRESSIONAL CAMPAIGNS.

Mr. LLOYD. Mr. Speaker, I wish to renew the request I made a few moments ago to which the gentleman from Georgia [Mr. BARTLETT] objected.

The SPEAKER. The gentleman from Missouri [Mr. LLOYD] asks unanimous consent to print in the RECORD—

Mr. BARTLETT. Mr. Speaker, reserving the right to object—

The SPEAKER. The gentleman from Georgia will wait until the Chair states the question. The gentleman from Missouri [Mr. LLOYD] asks unanimous consent to print in the RECORD certain forms, which were agreed upon between him and the gentleman from Illinois [Mr. MANN], as to certain affidavits touching the expenses of the candidates for Congress before nomination and after nomination and before and after election, and to extend his remarks. Coupled with that was the request of the gentleman from Illinois to amend by ordering the Clerk to print these forms for the candidates for Congress, sitting Members, and others.

Mr. BARTLETT. Mr. Speaker, reserving the right to object, I would like to say that I do not think this will do any good, yet I do not think it will do any harm. I have examined the papers, prepared, I am informed, by the gentleman from Missouri [Mr. LLOYD] and the gentleman from Illinois [Mr. MANN], and as there seems to be some desire on the part of the Members of the House to have the matter disposed of in the way in which it has been requested to be acted upon by both the gentleman from Missouri and the gentleman from Illinois, while I do not withdraw any suggestions I may have made with reference to the matter, I do not feel inclined to press my objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. LLOYD. Mr. Speaker, after conference with several Members of the House, I have taken it upon myself to confer with the gentleman from Illinois [Mr. MANN], the minority leader, about the form of statement which is required to be made by each candidate for Congress. Under the existing law every candidate who receives a nomination and is voted upon at the election is required to make four statements. The first one must be filed in the office of the Clerk of the House of Representatives at Washington, D. C., not more than 15 days and not less than 10 days next before the primary election or nominating convention. The law directs what kind of statement shall be made by such candidate. The gentleman from Illinois and myself have agreed upon a form which we offer for use by each candidate if he desires it. We have no intention to make the use of this form mandatory. Every individual, of course, is expected to construe the law for himself and to file a statement in accordance with the law as he understands it.

We submit, however, a form for use prior to the nomination as follows:

(To be filed with the Clerk of the House of Representatives, Washington, D. C., not less than 10 or more than 15 days before the date of the primary election or nominating convention.)

The depositing of this statement in a regular post office, directed to the Clerk of the House of Representatives, duly stamped and registered, within the time above required, is a sufficient filing of the statement.)

#### STATEMENT OF RECEIPTS AND EXPENDITURES OF CANDIDATE FOR NOMINATION FOR REPRESENTATIVE IN CONGRESS.

(For filing before primary election or nominating convention.)

I hereby certify that the following is a full, correct, and itemized statement of all moneys and things of value received by me or by anyone for me with my knowledge and consent from any source, together with the names of all those who have furnished the same in whole or in part, in aid or support of my candidacy for the \_\_\_\_\_ nomination for Representative in the Congress of the United States from the \_\_\_\_\_ congressional district of the State of \_\_\_\_\_, at the primary election (nominating convention) to be held in said district on the \_\_\_\_\_ day of \_\_\_\_\_, 1912, viz:

Also, that the following is a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by me, or by my agent, representative, or other person for or in my behalf with my knowledge or consent, together with the names of those to whom such gifts, contributions, payments, or promises were made for the purpose of procuring my nomination at such primary election (nominating convention), not including any money expended by me to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which I reside or for my necessary personal expenses incurred for myself alone for travel, subsistence, stationery, postage, or writing or printing (other than in newspapers), and distributing letters, circulars, and posters, or for telegraph and telephone service, viz:

(Signature of candidate) \_\_\_\_\_,

(Address) \_\_\_\_\_.

\_\_\_\_\_, ss:  
\_\_\_\_\_, being duly sworn, deposes (affirms) and says that the foregoing is a true and correct statement of his candidacy for nomination for Congress and of all the receipts and expenditures in aid or support of his candidacy as therein above set forth.

Subscribed and sworn to (affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 1912.

[SEAL.]

MEMORANDUM: The above statement must be verified by oath or affirmation of the candidate before an officer in the district in which he is a candidate for Representative, unless such candidate shall be in attendance upon Congress as a Member thereof, in which case he may verify his statement in the District of Columbia.

#### NOMINATION FOR CONGRESS.

Statement of receipts and expenses of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ district of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, 1912.  
Primary or convention, \_\_\_\_\_, 1912.  
Mailed \_\_\_\_\_, 1912.  
Received and filed \_\_\_\_\_, 1912.

The next statement which is required to be filed by any person who is a candidate for the nomination for Congress must be filed within 15 days after the primary election or nominating convention. This statement must be filed with the Clerk of the House of Representatives at Washington, D. C., and is a little different in form from that which is required in the first statement. The gentleman from Illinois and myself submit herewith as a suitable form for use by the candidate, in our judgment, the following:

(To be filed with the Clerk of the House of Representatives, Washington, D. C., within 15 days after the date of the primary election or nominating convention. The depositing of this statement in a regular post office, directed to the Clerk of the House of Representatives, duly stamped and registered, within the time above required, is a sufficient filing of the statement.)

#### STATEMENT OF RECEIPTS AND EXPENDITURES OF CANDIDATE FOR NOMINATION FOR REPRESENTATIVE IN CONGRESS.

(For filing after primary election or nominating convention.)

I hereby certify that the following is a full, correct, and itemized statement of all moneys and things of value received by me or by anyone for me with my knowledge and consent from any source, not included in the statement heretofore filed by me with the Clerk of the House of Representatives, together with the names of all those who have furnished the same in whole or in part, in aid or support of my candidacy for the \_\_\_\_\_ nomination for Representative in the Congress of the United States from the \_\_\_\_\_ congressional district of the State of \_\_\_\_\_, at the primary election (nominating convention) to be held in said district on the \_\_\_\_\_ day of \_\_\_\_\_, 1912, viz:

Also, that the following is a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by me, or by my agent, representative, or other person for or in my behalf with my knowledge or consent, not included in the statement heretofore filed by me with the Clerk of the House of Representatives, together with the names of those to whom such gifts, contributions, payments, or promises were made for the purpose of procuring my nomination at such primary election (nominating convention) not including any money expended by me to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which I reside or for my necessary personal expenses incurred for myself alone, for travel, subsistence, stationery, postage, or writing or printing (other than in newspapers), and distributing letters, circulars, and posters, or for telegraph and telephone service, viz:

Also, that the following is a correct summary of the statement made and filed by me with the Clerk of the House of Representatives prior to said primary election (nominating convention) as required by law, viz:

Also, that the following is a correct statement of every promise or pledge made by me or by anyone for me with my knowledge and consent or to whom I have given authority to make such promise or pledge relative to the appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in a county, State, or the Nation, or in any political subdivision thereof, or in any

private or corporate employment, for the purpose of procuring the support of such person or of any person in my candidacy as aforesaid, together with the names, addresses, and occupation of the respective persons to whom such promises or pledges have been made, and a description of the respective positions relating to which such promises or pledges have been made, viz:

(Cross out if promise has been made.)

I further certify that no promise or pledge has been made by me, or by anyone for me with my knowledge or consent or to whom I have given authority to make such promise or pledge, relative to the appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in a county, State, or the Nation, or in any political subdivision thereof, or in any private or corporate employment, for the purpose of procuring the support of such person or any person in my candidacy as aforesaid.

(Signature of candidate)

(Address)

\_\_\_\_\_, ss: \_\_\_\_\_, being duly sworn, deposes (affirms) and says that the foregoing is a true and correct statement of his candidacy for nomination for Congress and of all the receipts and expenditures and promises or pledges relative to appointment in aid or support of his candidacy as therein above set forth.

Subscribed and sworn to (affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 1912.  
[SEAL.]

MEM.: The above statement must be verified by oath or affirmation of the candidate before an officer in the district in which he is a candidate for Representative, unless such candidate shall be in attendance upon Congress as a Member thereof, in which case he may verify his statement in the District of Columbia.

(Backing.)

#### NOMINATION FOR CONGRESS.

Statement of receipts and expenses of \_\_\_\_\_, \_\_\_\_\_ district of \_\_\_\_\_

Primary or convention, \_\_\_\_\_, 1912.

Mailed \_\_\_\_\_, 1912.

Received and filed \_\_\_\_\_, 1912.

Both the statement which is required to be filed before the primary election or nominating convention and the statement which is required to be filed after the primary election or nominating convention must be sworn to or affirmed before an officer who is authorized to administer oaths under the laws of the State in which the candidate resides and shall be sworn to or affirmed by the candidate in the district in which he is a candidate for Representative in Congress. If, however, at the time of said primary election or nominating convention said candidate shall be in attendance upon the House of Representatives as a Member thereof he may, at his election, verify said statement before any officer authorized to administer oaths in the District of Columbia.

The law further provides that the depositing of either of said statements in a regular post office, directed to the Clerk of the House of Representatives, duly stamped and registered, within the time required herein shall be deemed a sufficient filing of any such statement under any of the provisions of this act.

The law provides also that no candidate for Representative in Congress shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised, in procuring his nomination and election any sum in the aggregate in excess of the amount which he may lawfully give, contribute, expend, use, or promise under the laws of the State in which he resides. Provided, that no candidate for Representative in Congress shall give, contribute, expend, use, or promise any sum in the aggregate exceeding five thousand (\$5,000) dollars in any campaign for nomination and election.

The publicity act further provides that no money that may be expended by any candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or for his necessary personal expenses, incurred for himself alone, for travel and subsistence, stationery and postage, writing or printing—other than in newspapers—distributing letters, circulars, and posters, and for telegraph and telephone service, shall be regarded as an expenditure within the meaning of this section, nor shall it be considered any part of the sum herein fixed as the limit of expense and need not be shown in the statement required to be filed.

The statute directs that no candidate for Representative in Congress shall promise any office or position to any person, or to use his influence or to give his support to any person for any office or position for the purpose of procuring the support of such person, or any person, in his candidacy.

I have called attention to the provisions of the publicity act as far as they are applicable to the statement which is required to be made immediately preceding the primary election or nominating convention, and the statement required to be made after the primary election or nominating convention, and I hope that these suggestions may be of use and profit to the membership of this House.

#### LEAVES OF ABSENCE.

By unanimous consent, leaves of absence were granted—  
To Mr. HINDS, indefinitely, on account of illness.  
To Mr. HEALD, for five days, on account of illness.  
To Mr. BROWN, for one week, on account of illness in family.  
To Mr. MORRISON, for one week, on account of important business.

#### RIVERS AND HARBORS APPROPRIATION BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of House bill 21477, being a bill entitled "A bill making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes"; and pending that I ask unanimous consent that general debate be limited to one hour, one-half to be controlled by myself and one-half by the gentleman from Massachusetts [Mr. LAWRENCE].

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21477, and pending that asks unanimous consent that general debate be limited to one hour, one half to be controlled by himself and the other half by the gentleman from Massachusetts [Mr. LAWRENCE]. Is there objection to the request for general debate? [After a pause.] The Chair hears none. The question is on the motion that the House resolve itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21477, the rivers and harbors appropriation bill, with Mr. RAINEY in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

H. R. 21477. A bill making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. SPARKMAN. Mr. Chairman, I hope not to consume all of the time that has been reserved to me, and I will ask that I may proceed without interruption until I have made the brief statement that I propose to make touching the provisions in the bill, when I will be glad to reply to any questions that Members may wish to ask concerning the measure.

The bill carries \$26,262,520.50 in cash and authorization, which is the smallest aggregate of any similar measure brought into this House since that of 1894. The bill of that year, as introduced, carried \$9,431,689.56, but that of 1896, the largest up to that time in the history of the country, reached the sum of \$62,051,000. From then on they range in amounts all the way from \$83,816,138, carried by the bill of 1907, the largest ever considered by this body, down to \$31,409,224, the aggregate of that of 1911.

The conservatism which resulted in the small amount carried by this bill was made advisable, in the opinion of the committee, on account of Treasury conditions and a consequent desire to keep the aggregate down to the lowest amount possible, at the same time providing adequate funds to carry on the various projects demanding attention until the next river and harbor bill shall have been enacted into law, and was made possible by reason of the policy of annual bills inaugurated two years ago.

Under that system it is in most cases only necessary to appropriate an amount sufficient to maintain the work, in case of maintenance, or to prosecute a project under way for a year. Sometimes, as in the present instance, only for a period of eight or nine months. At the same time it enables the engineers the better to estimate the amount necessary to prosecute the work on a project for the ensuing year and to furnish a safe guide to the committee in the consideration of a bill. Such estimates were made by the engineers and were followed by the committee in the preparation of the pending measure, their advice being freely sought wherever doubts arose in the minds of the committee during its deliberations. In only a few instances have the recommendations for cash appropriations made by the engineers been increased. In these few cases the increase was made necessary on account of changed conditions, the committee ascertaining that for one cause or another the estimates, as furnished by the engineers, were too small. Among these few

are the Delaware River below Philadelphia; St. Johns River, Fla.; and Winyah Bay, S. C. But we have not in any case exceeded the cash estimates and authorizations combined where continuing contracts were recommended, of which there are quite a number in the Book of Estimates.

It will be seen, however, that there is only one provided for in this bill, and that for the Ohio River. It was declared in the bill of 1910, when the 9-foot project for the Ohio River was finally adopted, that the improvement should be completed in 12 years—meaning, as I understand, that at least the appropriations for its completion should all be made within that time—and although the engineers had recommended for this bill a cash appropriation of \$3,200,000, they further suggested an authorization of \$5,300,000. But after consultation the committee found that, without any detriment to the work or the plan for its completion within the time fixed in the act of 1910, they could easily get along with an authorization, in addition to the cash recommendation, of \$2,200,000, which we have given. I wish it distinctly understood, however—and in saying this I but voice the sentiment of the entire committee—that in thus reducing the amount recommended for contract authorization we did not intend to abandon the plan for the completion of this great work within the time specified.

In fixing the amount for each item, whether relating to an existing or a new project, the committee has had in mind the fact that only eight or nine months will elapse before another bill will be presented and enacted into law, which must be done not later than the 4th of March of next year, when additional funds can and doubtless will be provided for each uncompleted project or such as can not be completed with funds heretofore authorized. Then, too, projects not now considered, whether on account of the necessity for conservatism in the matter of appropriations or for other reasons, may be again presented to the committee and through it to Congress.

We have not considered favorably all the projects that have been heretofore submitted to Congress or to this committee. When we began the preparation of this bill we found something like 135 new projects awaiting consideration by the committee and by Congress, the whole aggregating something like \$65,000,000. Of this number we have only taken care of 54 in the pending measure, but the amount involved is much more than the aggregate of those remaining, some 85 in number. That is to say, while we have considered favorably only a little more than one-third of the relatively recent projects now before Congress, the amount recommended to complete the 54 adopted constitutes nearly two-thirds of the whole. We have, for instance, adopted projects the appropriations for which, however, are small, amounting to something like \$41,000,000, leaving only about \$24,000,000 now before Congress yet to be considered.

In selecting those embraced within the bill we have been governed entirely by the urgency and relative importance of the projects considered from the standpoint of the commerce, either present or prospective, to be accommodated, and believe that we have made few, if any, mistakes. Certainly I may assure this body that the committee has endeavored to select wisely, intending, of course, to give further consideration to the projects omitted from the present measure in the preparation of the next bill. In the consideration of this, as in those which have preceded it, the Committee on Rivers and Harbors have treated each individual project alone upon its merits without regard to section, locality, or outside pressure of any kind.

And right here it may not be improper to advert to criticisms leveled at the River and Harbor Committee and at Congress, not so frequently of late, however, as in years gone by, that these bills are pork-barrel measures; that the log-rolling element enters into their consideration. This charge, whenever or wherever made, is entirely unjust and without foundation. No project has ever been adopted within the range of my experience and observation as a member of the Rivers and Harbors Committee, covering a period of 16 years, for any other reason than that of the commercial advantages to accrue to the country from the doing of the work called for in the project considered. [Applause.] And, Mr. Chairman, during this time we have provided for hundreds of projects, involving an expenditure of \$323,000,000 and ranging all the way from those of greater magnitude, like the harbors of New York and Boston and long stretches of river like the Mississippi and the Ohio, to small streams and less pretentious harbors; but whether great or small the only thought has been the commerce to be benefited by the money appropriated or authorized. If, incidentally, Members were pleased or constituencies gratified, so much the better; but these considerations did not, and have not, influenced us in the adoption of projects or in determining the amounts appropriated therefor. Let me further say, Mr. Chairman, that we have done the best we could in the selection of the items which have gone into this bill and in fixing the amounts appropriated

or authorized, and if there is anyone who sees, or think he sees, ground for criticism now is the time to raise his voice or else hereafter hold his peace. We trust we are able to defend successfully every item in this bill, and invite the closest scrutiny of any and all its provisions. [Applause.]

Still another criticism of river and harbor bills has been that small streams and insignificant harbors are cared for and money unwisely spent thereon. In the first place, I want to say that in none of the bills to which I have referred have the amounts appropriated for such projects been large, but in each case the commerce to be benefited has amply justified the expenditure. There are purely intrastate rivers—indeed, streams wholly within a single county—which accommodate commerce originating on or near their banks and which is carried on their waters to railroad terminals or to the ocean and thence to other States, and even to far-distant lands. These are as much interstate streams and are as much entitled, under the commerce clause of the Constitution, to Federal aid and care as though they traversed half a dozen or a dozen States. Then, too, in point of commercial importance they compare favorably with many of these longer and more pretentious streams. Some of them, considering the relative cost of improvement, are even of more importance, carrying—in proportion to the money expended on them—many times the commerce borne on the larger and longer streams.

There is yet another criticism, not so often used nowadays, still occasionally suggested, that the States represented on the committee are better treated than those not so represented; that the former get the larger amounts of appropriations recommended by the committee. The latter statement is perhaps true, but if so it is because their commercial importance justifies the consideration given them. There are 19 States directly represented on this committee. These constitute a little more than one-third of the States of the Union, but they have at least three-fourths of our coast line, more than three-fourths of the harbors and mileage of the navigable rivers, as also 90 per cent of the water-borne commerce of the country. So that, if they receive more they are entitled to more, and deserve all the attention given them.

The measure contains 261 items of appropriation. Of these, 102 are for the continuation of work on existing projects, 54 for new projects, and 105 for maintenance. For the 102 existing projects the bill carries \$20,588,000; for the new, \$4,477,070.50; and for maintenance, only \$1,197,450. I say only \$1,197,450, because, in my judgment, this is a small sum for that purpose, and makes a very creditable showing. Indeed, it speaks eloquently for the skill and ability of the engineers under whose direction the rivers and harbors of this country have been improved, at an expenditure up to the present time of more than \$627,000,000. The engineering skill which during more than three-quarters of a century could expend that large sum of money on the improvement of the waterways of this country and at the same time do their work so efficiently that only a little more than a million dollars is necessary in the present bill to maintain all their work makes indeed a creditable showing. Indeed, it evidences the fact that they have done their work wisely and well. [Applause.]

In addition to the projects before Congress at the time this bill was prepared, and for which provision has not been made therein, there were something like 190 surveys still before the engineers upon which reports had not been made. Some of these may have come in since the introduction of this measure, and sooner or later all of them will be here, either with or without favorable recommendation. To those favorably reported to Congress we, of course, will give due consideration and adopt or reject them according to their individual merits, but in order to give a project a status before the River and Harbor Committee it is necessary for it to come there with a favorable recommendation from the engineers. This is a rule of the committee, not formally adopted to be sure, but one sanctioned by time and by the practice of the committee for several years. That policy has met with some criticism by a few, and doubtless will be criticized again, but I think a moment's reflection will show its wisdom.

The engineers who pass upon these projects go into and investigate the localities where a work is proposed, not only with a view to determining its advisability but for the purpose of making estimates as to the cost of the project. While they are on the ground they must necessarily familiarize themselves with conditions there, including the commercial advantages likely to accrue from the adoption and the completion of the project, and hence become well qualified to pass upon the advisability of doing a given piece of work.

Mr. GARRETT. Mr. Chairman, will the gentleman from Florida yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Tennessee?

Mr. SPARKMAN. Would the gentleman mind waiting for a while? I would prefer to finish my statement, then I will be glad to yield.

Mr. GARRETT. Very well.

Mr. SPARKMAN. Then, again, Mr. Chairman, if we were once to abandon this rule, which I admit is an arbitrary one—if we once got away from it, I fear that the criticism to which I referred a moment ago—that the river and harbor bill is a pork-barrel measure—could be made with some show of justice, as we would then likely be overwhelmed with all kinds of projects, and without some safe rule to guide us might be the victim of combinations, which would destroy or make difficult this class of legislation. So it seems to me that for the present at least we must adhere to that rule. Whether we can get away from it in the future, whether we can devise some other or better plan for the giving of a status to a project before our committee in the preparation of river and harbor bills, remains to be seen.

Among the projects which we have inserted and provided for in this bill are the Missouri River below Kansas City at a cost when completed of \$20,000,000; the Tennessee River, to cost \$6,700,000; the inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., to cost \$5,400,000; Sabine Pass, Tenn., \$2,000,000; and the construction of a large new lock in the St. Marys River at the falls at a cost of \$3,275,000. Although these sums are large it is hoped that each of the projects may be completed within a reasonable time, for while the existing commerce on some of these waterways is small at present as compared with that on a few other streams in this country, it is believed that their completion in accordance with the projects adopted will result immediately in a large commerce upon each of them and that benefits entirely commensurate with the outlay will result to the country at large. The resources of the areas contiguous to these waterways and the rapid development of the sections through which they run seem to justify this expectation.

The project for the further improvement of the falls in St. Marys River may be said to stand in a class by itself, it being one of the most important arteries of commerce in the whole country. It already accommodates a large freight tonnage. For the year 1911 the commercial statistics furnished by the engineers show a total of 62,363,218 tons going over this river, an increase of 30,817,112 tons since 1904, and from all appearances this tonnage will continue to increase rapidly for several years to come.

The great industrial interests depending upon this enormous commerce and the damage that would result from any serious delay in its passage to points of destination made the committee unwilling to take any chances of freight congestion at these falls which ample lock facilities might prevent. Hence, it was thought best to provide in this bill for the construction of another large lock alongside of the one now being built, and to wait until this lock is completed before beginning the enlargement of the Poe Lock, as suggested by some of the engineers. The committee was influenced in the course taken in the present bill and to construct the larger lock by the Chief of Engineers, who not only recommended this course in his report to Congress, but adhered to the same in an interview had with him by the Committee on Rivers and Harbors, he being of the opinion that the building of the new lock is much the wiser course.

It will be seen that the bill contains quite a number of items where projects have been adopted, subject to conditions set forth in the reports of the engineers recommending such projects. These recommendations usually take the shape of local participation; that is, that the localities or parties immediately interested contribute something toward the prosecution of the improvement. Occasionally the recommendation is that the right of way, where such is desired, be furnished, or that terminal facilities to a given extent be afforded. The proportions thus recommended to be contributed by localities range all the way from one-fifth to one-half of the amount estimated to complete the projects, respectively, and are based on advantages especially accruing either to individuals or to the localities where the commerce is more local than general.

In this connection I wish to call attention to provisions in the bill extending the scope of the investigations heretofore required of the engineers in preliminary and other examinations and the reports thereon. Among these are inquiries into both private and public terminals—transfer and dock facilities contiguous to the waterways or harbors to be improved. This is a subject the importance of which can not be overrated. One of the most serious handicaps to water transportation heretofore existing has been the lack of dock facilities within the reach of everyone and at reasonable rates to all desiring to use the waterway in question. The tendency had been for

many years toward the ownership and control of such facilities by railroads, or by them and steamship companies acting in conjunction, a practice not conducive to competition in freight carriage or to the cheap handling of freight. The result has been in many instances to almost destroy transportation by water, as it is impossible for private enterprise to compete, in the face of such drawbacks, with railroad transportation or combinations of railroads and steamship lines. This is a condition which does not exist in European countries, as the various governments abroad exercise a greater degree of control over railroads than has heretofore been exercised in the United States; and this, I may say, furnishes an important reason, if not the chief one, for the greater use of the waterways of Europe than is made of those in this country. A change, however, is now taking place here. But while many communities, including several of the larger cities, have awakened to the importance of freeing commerce from this handicap by municipal or other public ownership or control of dock and terminal facilities, much remains to be done. Legislation to remedy this will, perhaps, be necessary, but, before undertaking such information not now in the possession of Congress is needed, and it is the purpose of the provision to which I have just referred to furnish this information.

The plan adopted in this and in the two preceding bills of fixing a time limit for the completion of some of the larger projects should be commended. The spasmodic, haphazard way in which work had been carried on before by reason of insufficient appropriations caused parties inclined to use waterways to hesitate in making the necessary arrangements, as there could be no certainty as to when the improvement would be finished and the waterway in a condition for use. Such a provision in a measure commits Congress to the plan and practically insures continuance of the appropriations necessary for its completion within the time limit. Of course no one Congress can in this way irrevocably commit another to a given plan in the matter of waterway improvement, but the tendency is in that direction, and I have no doubt but that in each case Congress will continue the appropriations from year to year until the projects so undertaken are completed. Indeed, acting in response to a strong public sentiment in that direction, I feel confident that Congress will furnish the money necessary to complete all the projects now under way and in sight, whether large or small, as early as is practicable and without the discouraging delays which have heretofore retarded the growth and development of the commerce depending upon waterway and harbor improvement. [Applause.]

There is one important project adopted in the present bill with a time limit of 10 years for its completion—that for the Missouri River below Kansas City. It is proper, however, to add that the bills of 1910 and 1911 carried amounts for this stretch of the river aggregating \$1,600,000, which have been used or will be expended in the completion of that project, so that with the sum provided in this bill there only remains of the original amount \$18,400,000 to be provided in future bills.

Now, Mr. Chairman, I have not covered all the provisions of this bill and the limited time at my disposal will not permit me to do so, but I wish to ask the indulgence of the House a little longer.

This is one of the most important measures that has been brought or will be introduced into the House during the present session. This the people understand, and there is throughout the country to-day a greater interest manifested in favor of river and harbor improvement than ever before in our history. They have found that the railroads are unable to do all the carrying business of the country; they have seen that, although the development of these transportation agencies has gone on until their trackage reaches 240,000 miles, with the very best equipment in the world, with all that trackage and this superior equipment they are unable to do the business required of them, except in favored localities. [Applause.]

The people, accustomed for nearly three-quarters of a century to rely upon the railroads, have found them falling below the demands made upon the transportation energy of the country, and that if the development of our resources is to go on and our surplus products distributed to the consuming populations of this and other countries, our harbors must be deepened, our rivers further improved, and canals constructed wherever such may be made to serve a useful purpose; and there are several such places throughout the country—localities where comparatively narrow stretches of land may be traversed and navigable waters, either of lake and river or ocean and gulf connected. The necessity for this class of improvement was never so great as now, because the development of our resources was never so pronounced as at this time. There is scarcely a locality, north, south, east, or west, that is not feeling the touch of

this spirit of development and progress. Lands hitherto lying idle, localities heretofore neglected, resources up to this time disregarded, are now being developed so that all our transportation facilities—wagon and railroad, river and harbor, supplemented by artificial waterways—will soon be required, indeed, are now demanded.

Mr. Chairman, we hear much of tariff and other forms of taxation, and they are a necessity, else government—national, State, county, and municipal—can not go on. The tax burdens for these purposes are heavy, but not nearly so great as the transportation tax by wagon, rail, and water in the United States. These, it is estimated, are more than two and one-half times greater than the former. The people are taxed, so it is said, \$2,000,000,000 a year to support the various governmental agencies—Federal, State, county, and municipal—and more than \$5,000,000,000 for transportation by the three methods just mentioned—wagon, rail, and water—so that there is no greater problem confronting the American people to-day than that of transportation, and into the settling of this problem two things at least enter—efficiency and cost. The people are interested in both. Efficiency, because on that depends safety and dispatch in the transportation of person and property. Cost, because on the transportation charges depends largely the profits of him who uses the transportation facilities. Improved waterways not only add materially to these facilities, but they are great regulators of freight and passenger rates, of which all the people receive the benefit, some more than others, perhaps, but each and all reap to a certain degree, directly or indirectly, a benefit from the lowering of rates by the increase of water transportation facilities. Hence, I repeat: There is not a more important measure claiming the attention of this body than the rivers and harbors bill. Having for its purpose the development of our numerous harbors and the improvement of the 25,000 miles of navigable waterways now being used, together with the 25,000 more miles of rivers that may be easily made navigable, and all to the end that ample transportation facilities may be furnished to the people in so far as these can be furnished by this class of development, its importance can not be overestimated.

Mr. Chairman, I said this is a most important measure, and it is. But it is more. It is also the most popular of any introduced or that will be introduced into this House. The people, of course, recognize that the great supply bills for the carrying on of the Government must be passed. They tolerate the naval appropriation bill, which provides for the battleships—those powerful engines of destruction—and the military appropriation bill, which keeps up the Army to a standard of efficiency, because, forsooth, some time in the future they may be needed for purposes of defense. War may come, an enemy may menace, yet these are happily uncertain and, we hope, remote possibilities. But we know that the development of our resources is going on, that our commerce is increasing, and that the necessity is ever present for transportation facilities to accommodate its growth and development. Wars we would prevent, but commercial growth we would encourage. The one brings prosperity and happiness, the other sorrow and adversity. All this the people understand; hence the popularity of this class of legislation, and they will brook no delay nor tolerate any backward step along that line. And, let me say, no one will reflect the wishes of his constituents by opposition to a measure fraught with the possibilities for good with which these measures are laden. And, Mr. Chairman, we are making commendable headway. Only a few years—10 or 15 at most—will be necessary at the present rate of progress to do all the river and harbor work now in sight. The last three bills, including the present, averaged about \$38,000,000. But suppose we should for the next decade and a half average a smaller sum than that—thirty or thirty-five millions, for instance—even then one can readily see that nearly a half billion of dollars will have been appropriated by Congress. Add to that the sum of nearly \$700,000,000 which has been appropriated since the Federal Government took charge of river and harbor work, and we get an aggregate of nearly \$1,200,000,000, an amount greater than that expended by any other government in the civilized world. No country in Europe or elsewhere will have done so much, and none will have a greater mileage of navigable waterways or a greater number of first-class harbors than ours. [Applause.]

The amount above suggested will be sufficient to complete not only the improvements in the Mississippi River and its tributaries, embracing projects amounting to hundreds of millions of dollars, but the amount will be sufficient to take care of all the projects now in sight, including the intracoastal waterways, or such of them as Congress may see proper to adopt. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAWRENCE. Does the gentleman desire more time?

Mr. SPARKMAN. Four or five minutes.

Mr. LAWRENCE. I will yield five minutes more to the gentleman from Florida.

Mr. SPARKMAN. Now, Mr. Chairman, we have spent at least two and a half months in the preparation of this bill. We have had numerous hearings by persons representing different sections of the country, including boards of trade, some coming even from the Pacific coast. To them we have accorded patient hearings, and have given to this bill the most careful consideration possible. We therefore hope and believe we have presented a measure that will not only meet with the approval of this House, but that of the country as well. [Applause.]

Mr. LAWRENCE. Mr. Chairman, I now yield five minutes to the gentleman from Illinois [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman; the measure before the House is one that vitally affects the great industrial and commercial activities of the whole country. Based upon principles of statesmanship, a policy of internal improvement, reaching the vast areas covered by the appropriations contemplated by this bill, will inevitably lead to the increased prosperity of our people and the rapid growth of our common country. These appropriations will be applied, if this bill becomes a law, to the coastal improvements along the Atlantic and Pacific Oceans, the Gulf of Mexico, the Great Lakes, and those great arteries of trade and commerce that carry upon their bosoms the great wealth of the country that teems in the inland reaches of our great continent. No Nation on earth can equal in volume, variety, and richness the mighty commerce that annually traverses our great country over its lakes, along its rivers, on its great railroads, and upon its coasts.

The expenditure carried by this bill, regulated by a scrupulous regard for a commendable policy of economy, will amply meet the demands and immediate needs of the country. It is not so much the magnitude of the appropriation that counts, in my opinion, as the application and distribution of the moneys. If the moneys appropriated are devoted to those points, and applied for those purposes solely which made for true internal improvement, then they will be wisely expended, and industrial success and commercial prosperity must follow as surely as the night follows the day. But if the moneys are applied to the promotion of railway policies in such a way as to render competition between railways and waterways either impracticable or impossible, then industrial and commercial stagnation will follow, and our country will continue to be at the mercy of the great trunk lines of the country as far as our inland facilities for transportation are concerned.

Experts who have studied the cost of transportation hold that the expense by rail is in the ratio of 6 to 1. If this is true, the proportion in the rates of traffic charges should logically be the same. And if this proportion is not maintained, then there must be some artificial, extraneous influence that creates the burdens of which the shippers complain and against which we hear such loud and persistent complaints. The purpose of waterborne traffic is twofold; first, the reduction in the rates of transportation; and, secondly, the perfection of the transportation facilities by water so that no inland community of the country will suffer in its commercial activity and prosperity because of its remoteness from the great ports of the country.

Mr. Chairman, I believe with the chairman of this committee that this is one of the most important bills that this Congress will be called upon to pass. I am in favor of the passage of the bill, not because the State of Illinois or the city of Chicago that I in part represent have any particular interest in the passage of this bill.

Mr. CONRY. Will the gentleman yield?

Mr. GALLAGHER. Certainly.

Mr. CONRY. Will the gentleman state why it is that in this bill there is no appropriation made for the city of Chicago?

Mr. GALLAGHER. Because Congress, on March 3, 1899, passed an order for a survey of the Chicago Harbor and waters in and about Chicago. That report is now in the hands of the Board of Engineers of the Army and has not as yet been submitted to Congress, and we have had no opportunity to pass upon what Chicago is asking for in the way of harbor improvement. I may state that Chicago is preparing to build an outer harbor, and we do expect an appropriation from the Federal Government to assist us in extending the breakwater for the Chicago Harbor. And being a member of the Committee on Rivers and Harbors I can positively assert that when these preliminary reports are submitted by the War Department and the estimates prepared the great city of Chicago will assuredly receive that generous treatment to which, by reason of her greatness, her influence, and her power, she is justly entitled. [Applause.]

In the great city of Chicago we have facilities for inland and outer water transportation that is exceeded by no city in the country. Her position on the Great Lakes, her geographical situation, her rivers, canals, and her great possibilities as a commercial center should make her the leading city of the Nation from the standpoint of water-borne traffic; while in reality she actually occupies the fifth place. She is the second great city of the country. She has profited very little by Federal aid. Her greatness is the product of the genius, the push, and the energy of her enterprising and ambitious sons.

While the Congress of the Nation has been liberal even to the point of lavishness in appropriations for other sections, the city of Chicago and the State of Illinois have been continually ignored. This fact and these conditions have been forcibly exhibited in the letter of the Secretary of the Treasury, transmitting information in response to Senate resolution of December 7, 1911, relative to expenditures for rivers and harbors. This letter, as printed in the Chicago Examiner, shows the total amount appropriated in the State of Illinois for river and harbor improvements was \$8,520,924.81. Of this sum \$2,740,663 was applied to the Chicago Harbor.

In glaring contrast to the smallness of these appropriations are the amounts devoted to internal improvements of other States, as shown by the following table:

Michigan	\$43,404,495.87
New York	41,925,351.80
Texas	24,382,529.60
Massachusetts	17,284,368.53
Ohio	16,211,109.78
California	14,605,144.12
Georgia	12,373,856.71
Wisconsin	11,493,944.17
Florida	11,205,058.28

This niggardly treatment of the city of Chicago by the National Government can be more keenly appreciated when we consider the lavish display of generosity made by this Nation to individual projects as shown by these appropriations:

Philadelphia	\$15,465,529.22
Boston	10,402,687.45
Galveston	9,316,934.72
Detroit River	9,700,283.05
Patapsco River, Md.	4,453,347.98
Great Kanawha River, W. Va.	4,257,863.14
Cape Fear River, N. C.	4,760,993.71
St. Johns River	4,813,003.75

The outer harbor of the city of Chicago is susceptible of wonderful development, a development that means greater commerce, greater power, and greater influence for the metropolis of the West, and greater prosperity for the whole country. She is to-day the distributing center for the wealth-increasing products of the great West. Her spirit of enterprise keeps abreast of the increasing demands of the age. And she is now contemplating an expenditure of \$5,000,000 in the construction of an outer harbor on the lake shore and the expenditure of \$3,000,000 or \$4,000,000 for the construction of the most modern types of bridge over the Chicago River to facilitate traffic.

Mr. HAMILTON of West Virginia. Will the gentleman yield for a question?

Mr. GALLAGHER. I will.

Mr. HAMILTON of West Virginia. The gentleman is a resident of Chicago?

Mr. GALLAGHER. Yes.

Mr. HAMILTON of West Virginia. What effect has the Chicago Drainage Canal on the level of the lake?

Mr. GALLAGHER. That is an old question which has been up here in several forms for some time. We have just had a hearing upon it. The effect of diverting the water, we contend, makes no difference in the lake levels whatever. We believe that the health of the people of Chicago is paramount to the interests of navigation, and inasmuch as it makes no perceptible difference in the water levels of the lake, we believe that we are entitled to that extra supply of water for sanitary purposes. [Applause.]

I am heartily in favor of the development of these improvements upon the Chicago River and all its branches. Just as sidetracks are necessary to the development and perfection of a great railroad system, so is the improvement of all the branches of a great river essential to its proper development as an agency in the commercial progress of a city upon its banks. Where a stream is improved there is more water-borne traffic along that stream and the consequent development of great industrial plants upon its shores. Every such improvement will open up the avenues of trade and will bring to the doors of the individual enterprises that line the rivers the fleets laden with wealth that ply from lake to lake and port to port. Increased traffic by water does not hamper railroad business but actually aids and helps to build it up.

If river and harbor improvements are to continue to meet with popular approval, if they are to justify the noble purposes which gave them birth, the policy governing them should be based upon the broad principle of our country's good. No discrimination against this enterprise or that enterprise should be tolerated. Let every enterprise participate alike in this great scheme of governmental activity. Let every development of a harbor, inland and outer, provide for terminals for the reception of traffic by water. I am unequivocally in favor of this principle and this policy. It is the only just policy and the only wise policy. Any other policy will retard the development of our commerce and will ultimately bring into disrepute the great and noble work to which our Government is committed, and which it has contributed so generously to sustain and perfect; because it is just as imperative for our water-traffic systems to have terminals, and they are just as essential to their efficiency as are depots and railway stations along the lines of our great railroad systems; and it therefore becomes the duty of the Government to establish these terminals now, for it is only a question of time when the needs and necessities for our inland commerce will enforce their construction. [Applause.]

Mr. LAWRENCE. Mr. Chairman, the pending bill carries in appropriations and in continuing contracts a little over \$26,000,000, which is made up, as the chairman of the committee has told you, of these items: For maintenance, \$1,197,450; for the carrying on of works now in progress, \$20,588,000; and for entirely new work, \$4,477,070.50. It is the smallest bill that has been reported to the House from the Committee on Rivers and Harbors since I have been a member of that committee; but in entire frankness it should be said that the bill does commit Congress to new projects which will ultimately call for the expenditure of a very large amount of money. The committee has worked faithfully and long upon the bill. Through the fortunes of political warfare I have found myself at the foot of the table and a distinguished Democrat now sits at its head. I wish to say that the gentleman from Florida [Mr. SPARKMAN], as chairman of the committee, has always shown himself to be courteous and able; he has not been actuated by sectional or political considerations, but he has at all times endeavored to do his best for the progress and development of our whole country. [Applause.]

I believe, Mr. Chairman, that this bill is a well-considered piece of legislation, and I urge that it be passed by the House as it has come from the committee. We have adhered strictly, as I understand it, to the policy of the committee—that no items should be included in a bill upon which there have been adverse reports by the engineers. The committee has not formally adopted a rule that no projects shall go into a bill which have not had the approval of the engineers, but it has become, fortunately for river and harbor legislation, the established practice of the committee. If you are going to include in river and harbor bills projects which have been turned down by the local engineer, by the division engineer, by the board of review, and by the Chief of Engineers, then you will indeed have a pork barrel; and then you will sound the knell of river and harbor legislation [applause], for you will have river and harbor bills that no Congress should pass and that, if passed by Congress, no self-respecting President could sign. We laid the basis for such practice in the bill of 1902, which provided that all new projects should first be considered by a local engineer and passed upon by his division engineer; that they should then be considered by the board of review, which consists of five high officers of our Corps of Engineers, and finally passed upon by the Chief of Engineers. Formerly reports of the engineers had great weight, but it was in 1902 that legislation on this subject was strengthened. I am going to quote from an address made by Gen. William H. Bixby before the National Rivers and Harbors Congress, in which he spoke most interestingly upon the education and training of engineer officers and showed why it is that they are so well fitted for river and harbor work:

#### THE EDUCATION OF ENGINEER OFFICERS.

Those who have not specially studied the subject may occasionally wonder how and why the river and harbor work ever came to be assigned to the Army engineers.

During colonial days there was little work anywhere of engineering nature in the United States except what could be done by the ordinary farmer and mechanic. In the days of the American Revolution the military and topographical engineer came to the front as a military necessity. In 1800 James McHenry, Secretary of War, urging the re-establishment by law of a Military Academy and a Corps of Engineers, said, in his argument, that "fortifications is but a single branch of their profession" and "their utility extends to almost every department of war and every description of general offices, besides embracing whatever respects public buildings, roads, bridges, canals, and all such work of civil nature." In 1802 the Military Academy was established at West Point for the sole purpose of educating engineers for such service.

However, at present only from 5 to 10 per cent of the West Point graduates, those who appear best fitted for such special work, join the

Engineer Corps, the others going to the other branches of the military service.

The United States Coast Survey was organized in 1816 by F. R. Hassler, a former Military Academy professor, being later extensively developed by A. D. Bache, a Military Academy engineer officer graduate of 1825. Many of the great topographical, geodetical, and astronomical surveys of the United States were originally organized by Army engineers, or at least by West Point graduates.

Up to 1824 West Point was the only school which taught civil engineering, and all engineering work was necessarily started under the guidance of West Point graduates. In 1824 a specific act of Congress gave to the Army engineers the definite charge of all Government roads and canals.

The Rensselaer Polytechnic School did not start until about 1824, and the Sheffield Scientific School at Yale and the Lawrence Scientific School at Harvard not till about 1847. When, after the Civil War, civil engineering and other technological schools began to develop all over the United States, the Military Academy graduates still held their own good standing in the civil-engineering profession because of their added knowledge of governmental methods and their special training. Our engineer officers have been liberalized by constant contact with other parts of the country and other business interests, although independent thereof, concerned only with securing good engineering work and the public benefit, and thereby specially fitted for the duties assigned them by existing law.

I think it is due to the corps which I represent that I put these matters thus simply and plainly before you, so that you may know just why the Army engineers already have the support of the Federal Congress and why they expect to have that of your congress as regards not only our past river and harbor work, but also that of the future.

Our system of training and executive organization is very similar to that of France, where every officer in charge of river and harbor work (with but few special exceptions) must pass through three years of mathematical and civil engineering study in their War Department Polytechnic School and then three more years of special engineering study in the Government School of Bridges and Highways, after which their district officers are directed and supervised in much the same way as in the United States. And France is noted throughout the entire world, as well as in Europe, for the extent, thoroughness, and perfection of its river and harbor improvements.

Large appropriations are needed for the development of our rivers and harbors, but, in by judgment, we need a more definite policy and businesslike methods still more, and that is what we have been working for. There is no man in the country, in my judgment, who has done more in that direction than has our present Chief of Engineers, Gen. Bixby. [Applause.] So, Mr. Chairman, in this bill we have followed consistently the practice of following the recommendations of the engineers. There is not an item here, so far as I know, which is adversely reported upon by the engineers. I know that there are some Members of the House who feel that we follow too closely the reports of the engineers and that we ought to act more upon our own judgments. It may be that in time this practice may be somewhat modified, especially as to the commercial features, but I do not believe that it is wise to make any change at the present time. For some time, at least, we should pay such attention to the reports of our engineers. Such a policy will make annual bills a certainty, and there is no other way by which we shall make more certain the fact that river and harbor appropriations are investments from which the people of our country derive great benefit. [Applause.]

I now yield to the gentleman from Kentucky [Mr. LANGLEY].

[Mr. LANGLEY addressed the committee. See Appendix.]

Mr. LAWRENCE. I yield to the gentleman from Pennsylvania [Mr. DONOHUE].

[Mr. DONOHUE addressed the committee. See Appendix.]

Mr. LAWRENCE. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MANN] such time as he may desire.

Mr. MANN. Mr. Chairman, I wish to say a word with reference to the gentleman from Massachusetts [Mr. LAWRENCE], who, we understand, is going to deprive us of his company against our desire and against our will. He is now the ranking Republican on the Committee on Rivers and Harbors and has been the ranking Republican when there was a Republican chairman of that committee. I know that I express the unanimous opinion of both sides of the House when I say that it will be with the profound regret of the membership of this House that he leaves his service in Congress. [Applause.] The Rivers and Harbors Committee, while one of the most important committees of the House, has never been a partisan committee, but it has had a tremendous amount of work to perform and has had an exceeding great influence on the development of the country, because without the improvements which have been made in the rivers and harbors of the country the development of commerce which we have witnessed in recent years would have been impossible; and in the work of that committee for many years past there has been no member who has more completely held the confidence of the Members on both sides of the House, working along with other able and distinguished members of the committee, than has the gentleman from Massachusetts [Mr. LAWRENCE]. [Applause.]

[By unanimous consent, Mr. MANN was granted leave to extend his remarks in the Record.]

Mr. LAWRENCE. Mr. Chairman, I yield five minutes to the gentleman from Georgia [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, we have listened with pleasure to the remarks of the minority leader, in which he has paid a high and merited compliment to the splendid ability and sterling worth of Mr. LAWRENCE, of Massachusetts. While we differ in politics, yet I am sure ever Member of the House, whether Democrat or Republican, has heard with regret that Mr. LAWRENCE, who has served so long and so well upon the committee on Rivers and Harbors, has announced that he will not again seek a seat in this House.

We shall miss him in the House and on the committee.

Mr. Chairman, I hope the bill will become a law without amendment. It carries many millions less than any general river and harbor bill has carried in the history of waterway legislation in this country.

To improve the waterways for navigation means competition to the railroads, which in turn means cheaper freight rates to the people. It means to develop the resources and commerce of the country.

Some are simple enough to believe the demagogue when he charges that improving the waterways is of no benefit to the farmers. They are the ones who are benefited more than any others by opening up water transportation, in order that the freight rates on their products as well as upon fertilizers and other freights may be reduced.

A cotton farmer residing in middle Georgia, in talking to me recently about the appropriations to improve the Savannah River, stated that he was satisfied that the saving to him annually on freight rates on account of improved river navigation would amount to at least \$100. This is one of many cases that could be cited along this line.

The Government is committed to the policy of improving the waterways. I think the time has come when the National Government should also enter upon a policy of improving the highways under State control and through State cooperation. It would result in untold blessings and would be of inestimable benefit to the people of the country.

If we wish to solve the railroad question and the question of high freight rates it would seem to me that it can be done effectively by improving our waterways and our highways. It is my opinion that such work will make for the material development of our country and will result in great good to the people.

Georgia has been well cared for by the committee in preparing this bill. I hope that all the Georgia items will remain in the bill and that it will become a law, in order that the great work contemplated may proceed at the earliest possible date.

Mr. LAWRENCE. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I had not intended to say anything, but I believe I shall submit just a few statements in reference to the bill. The very common criticism of river and harbor bills—a criticism I may say that is always confined to those who are not handicapped with any information on the subject, and who therefore can speak fluently—is that we waste money in appropriating for insignificant streams and creeks.

I just wanted to call the attention of the committee and the country to the fact that in this bill, which is no exception to the rule which has prevailed for many years, the appropriation for creeks when compared to the tonnage carried on the creeks is the best spent money perhaps of all. For instance, in this bill there are \$129,500 carried for creeks, and these creeks bear 6,750,000 tons of commerce valued at \$218,000,000, and, although I am neither a prophet nor the son of a prophet, I will venture the guess that in five years after the Panama Canal has been opened it will not float much more American tonnage in any one year than is borne on the creeks that are provided for in this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURRAY. Mr. Chairman—

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

Mr. MURRAY. Five minutes or three minutes—as much time as the gentleman can yield me.

Mr. LAWRENCE. I yield the gentleman two minutes.

Mr. MURRAY. Mr. Chairman, in spite of the fact that I do not happen to be a member of the Committee on Rivers and Harbors, I may yet with some grace rise to second the statement of the minority leader, Mr. MANN, of Illinois, with respect to the ranking member of that committee, my colleague from Massachusetts, GEORGE P. LAWRENCE. [Applause.]

We have known him in our Commonwealth as GEORGE "POPULAR" LAWRENCE ever since the time, some years ago, when a wise man who knew that Mr. LAWRENCE was highly esteemed by our citizens, suggested that his middle initial must stand for "Popular."

He came to this House of Representatives after distinguished service in our Commonwealth, where he presided with great dignity for a period of nearly 10 years over one of our courts and later presided with equal dignity during the last two years of five terms' service in our State senate.

We who live in Boston, at the eastern end of the State and far removed from that western section of Massachusetts which he has represented now for more than 14 years, have profited by his service here, because we have had many appropriations for our harbor that have come largely as a result of his active efforts in the making up of river and harbor appropriation bills.

Mr. Chairman, I hope that this bill may be adopted as it has been reported by the committee. I know something of the careful attention that has been given by the chairman and the members of the committee in the preparation of this bill, for I appeared before the committee and frequently conferred with its members about items of importance to Massachusetts.

The items in the bill that are of particular interest to the people of Greater Boston are found on the second and third pages of the bill, as follows:

Improving harbor at Boston, Mass., by dredging the channel of Chelsea Creek in accordance with the report submitted in House Document No. 272, Sixty-second Congress, second session, and subject to the conditions set forth in said document, \$85,000.

Improving harbor at Lynn, Mass.: Continuing improvement, \$35,000.

Improving Maiden River, Mass.: Completing improvement in accordance with the report submitted in House Document No. 77, Sixty-second Congress, first session, and subject to the conditions set forth in said document, \$80,000.

Improving Mystic River, Mass.: Continuing improvement below the mouth of Island End River, \$50,000.

We are especially interested, too, in the item that authorizes the Secretary of War to cause preliminary examinations and surveys at Boston Harbor, Beverly Harbor, Gloucester Harbor, and Merrimac River.

We hope to secure for Boston Harbor an increased width and depth in the channel from President Road to the sea and to provide deep-water connection with such suitable terminals as may be established by the directors of the port of Boston.

These directors of the port of Boston are public officials of our Commonwealth, Mr. Chairman, whose offices were created by chapter 748 of the Acts and Resolves of Massachusetts, 1911.

They have been given broad powers as the administrative officers of our port, and an appropriation of \$9,000,000 has been authorized to meet the expenses that may be incurred under the provisions of the act.

Mr. Chairman, I am mindful of the fact that vast sums have already been appropriated by this Government for river and harbor improvements. We have appropriated—

For rivers and harbors, by States	\$328,107,378.66
For general and joint improvements not separable by States	285,763,827.32
For canals, exclusive of the Panama Canal	13,227,030.07
<b>Total, exclusive of Panama Canal</b>	<b>627,098,236.05</b>
For the Panama Canal	241,165,945.53
<b>Total, including the Panama Canal</b>	<b>868,264,181.58</b>

I know full well that of this vast amount the Commonwealth of Massachusetts has been favored with no small share of the whole. I have considered carefully the full significance of the following table that shows the details of the expenditures within our State:

Bass River	\$20,150.34
Beverly Harbor	35,015.00
Boston Harbor	10,402,687.45
Buzzards Bay Harbor	2,500.00
Canapisset Channel	5,312.54
Chatham Harbor	15,971.35
Cohasset Harbor	10,000.00
Dorchester Bay and Neponset River	94,584.55
Duxbury Harbor	32,000.00
East Dennis Breakwater	7.57
Edgartown Harbor	25,000.00
Essex River	30,000.00
Fall River Harbor	235,412.00
Gloucester Harbor	494,979.67
Hingham Harbor	29,000.00
Hyannis Harbor	167,158.47
Hyannis and Nantucket Harbors	116,861.11
Ipswich River	5,617.91
Kingston Harbor	8,940.00
Lynn Harbor	355,437.00
Malden River	10,000.00
Manchester Harbor	23,985.57
Marblehead Harbor	833.42
Marthas Vineyard Harbor	5,000.00
Merrimac River	366,466.72
Mystic River	50,000.00
Mystic and Malden Rivers	240,021.19
Nantucket Harbor	349,424.12
New Bedford Harbor	167,734.64
New Bedford and Fairhaven Harbors	302,000.00
Newburyport Harbor	412,000.00
Powow River	50,940.72
Plymouth Harbor	258,626.74
Plymouth and Provincetown Harbors	38,718.06

Provincetown Harbor	\$156,452.97
Rockport Harbor	22,000.00
Salem Harbor	63,868.66
Sandy Bay (Cape Ann) Harbor and Breakwater	1,751,229.25
Scituate Harbor	104,590.98
Taunton River	201,950.21
Town River	18,000.00
Vineyard Haven Harbor	55,387.35
Wareham Harbor	95,997.30
Wellfleet Harbor	11,365.57
Westport Harbor	3,000.00
Weymouth River	60,500.00
Weymouth and Town Rivers	82,327.41
Winthrop Harbor	9,000.00
Woods Hole Channel and Harbor	306,082.68
<b>Total</b>	<b>17,284,638.53</b>

I call attention to the fact, however, that our citizens have authorized within the year an appropriation that is more than half the total expenditure of the National Government for our State during all the years of its activity in river and harbor work.

I believe that the passage of the pending measure will encourage our citizens to continue their policy of local expenditures, and I, therefore, hope it will be adopted.

Mr. HAMILTON of West Virginia. Mr. Chairman, I desire to say, in commendation of the Rivers and Harbors Committee and of its able chairman, who is in charge of this bill on the floor, that I have received the most courteous treatment in all such matters as I have had before them, and I believe that every Member of this House who has been before that committee would bear the same testimony. I heartily concur in what has been said by the gentleman from Illinois [Mr. MANN] in praise of the ranking Member on the minority side [Mr. LAWRENCE], who, judging from the remarks made, will shortly retire from the committee and from Congress. While my acquaintance with him has not been of sufficient duration to speak of him with the familiarity that the gentleman from Illinois has done, yet I can say that in my few personal contacts with him I have found him to be gentlemanly, kind, and obliging, and I believe that his long and efficient service is worthy of all that has been said in his favor.

This bill carries for the improvement of that great channel of trade, the Ohio River, which borders for 300 miles or more along the State which I have the honor to represent, in part, a direct appropriation of \$3,200,000 for continuing the improvement thereof, and in addition thereto authorizes the Secretary of War to enter into contracts for further improvement to the extent of \$2,200,000, making a total of \$5,400,000.

It further carries an appropriation of \$200,000 for the improvement and maintenance by open-channel work on said river. In addition to the said sums there will be carried in the sundry civil bill \$1,200,000 for this river, which makes a grand total of \$6,800,000 to be appropriated by this Congress for the improvement of that stream. When it is considered that the total of this bill is but twenty-seven millions it will be readily seen that the people of the State of West Virginia and of other States bordering upon the Ohio River have no just cause for complaint against the action of Congress in this respect. Probably three-fourths of the amount appropriated will be spent within the borders of West Virginia, because it must be remembered that that State wholly owns the Ohio River along its border to the low-water mark on the opposite side. This ownership grows out of the term of the original cession by the State of Virginia to the National Government of that great area known as the Northwest Territory.

It is likewise a source of congratulation to the whole Nation that the Congress shows this spirit of liberality to that great highway, because the territory tributary thereto is unquestionably the richest in agricultural products and the products of manufacture, the great sources of national wealth in the whole wide world. I have not time to speak, as I would be glad to do, of the great resources, the transportation of which would be advanced by the projected 9-foot stage in the Ohio River. I will, however, say that the statistics show that the States along the Ohio River, together with Wisconsin and Michigan, which latter two are largely tributary thereto, produce more than one-third of the corn raised in this country and about one-fourth of all produced in the world, and they produce other grains and crops in almost the same large proportion, so far as the United States are concerned. I had the extreme pleasure of accompanying the committee from Pittsburgh to Cairo by way of the Ohio River, and returning through the interior of the States bordering on the said river, last summer. And I verily believe I saw, even in the unprecedented dry season then prevailing, green fields of waving grain sufficient to feed this Nation for a year.

For many years there has been an agitation for the improvement of the Little Kanawha River, which lies wholly in my dis-

tract. Many years ago a private corporation erected four locks and dams upon that river, and about the year 1882 the Government appropriated a sum for the further improvement of that stream, and additional appropriations were made from time to time until in the year 1891 an additional lock and dam was completed, which extended the improvement to a distance of about 55 miles above its mouth at Parkersburg on the Ohio River. Subsequently the Government purchased the four locks owned by the private company, so that the whole of the improvement became the property of the Government. This river is susceptible of improvement for many miles farther, but with all the diligence and energy of the several Congressmen who have represented that district since 1891—and I here say for my predecessors that they have been diligent and energetic, doing all in their power in the premises—they, as well as myself, have been confronted with adverse reports from the Board of Engineers, and the head of navigation on that stream still remains at the point where it was on December 2, 1891, when the additional lock to which I have referred was opened for navigation. Perhaps the projects heretofore advanced have been too expensive—based upon a system of larger locks than are advisable for that stream in the views of the engineers. One project involved the expenditure of over \$5,000,000, and as to that an adverse report was made by the division engineer on February 8, 1910. Subsequently it was resubmitted upon a project, costing about \$1,500,000, as to which the division engineer reported under date of May 25, 1911, that he deemed the said river not worthy of improvement at that time. The committee, after giving full consideration to these reports, has declined to make an appropriation in the present bill.

I have no criticism for their action, because it could not be expected that, in the face of these reports, they would make an appropriation of Government money without some further investigation. They have, however, embodied in their bill a direction to the Secretary of War for further examination and survey, if necessary, to ascertain the head of practicable navigation, with a view to the improvement of the river as far as they think the Government would be warranted in undertaking. When this bill comes up for amendment I propose to ask the House to provide in the bill for the examination and report upon a large tributary of the Little Kanawha River, called Hughes River, which has its mouth within the bounds of the present limits of the improvement and which, in my opinion, is worthy of improvement, as the benefits to be derived therefrom by the farming element of that section far exceed the small cost which will be incurred by the Government in the proposed extension. I trust that the chairman of the committee will not oppose this amendment when the time comes for me to offer it.

While I feel disappointed that the committee could not give what I thought ought to be appropriated for the Little Kanawha River, yet in view of the great benefits to be derived from the further improvement of the Ohio River, I shall, as my predecessors have been compelled to do, swallow my grief and vote for this bill as reported. I am inclined to think that no district in the country has fared better under this bill than mine, when the Ohio River improvement is considered and consideration is also given to the fact that most of this appropriation will be expended within the lines of that district. At least such is my information, which information, while unofficial, I believe to be authentic.

Mr. LAWRENCE. Perhaps, Mr. Chairman, I may now be excused if I ask for a reading of the bill under the five-minute rule.

Mr. SPARKMAN. Will the gentleman from Massachusetts yield to the gentleman from New Jersey?

Mr. LAWRENCE. I yield to the gentleman from New Jersey [Mr. SCULLY].

Mr. SCULLY. Mr. Chairman, I am heartily in favor of this bill, and I earnestly hope that it will pass without one dissenting vote. As a new Member of this House I am unequivocally in favor of the development and improvement of the waterways of this country. While I have at all times been a strong believer in the development and improvement of the waterways of the entire Nation, yet I am particularly interested in the development and improvement of the waterways of the State of New Jersey. My assignment to that great and powerful Committee on Rivers and Harbors gave to New Jersey for the first time in the history of Congress representation on that committee. Naturally, as a new Member of the House, it is with considerable satisfaction and great pleasure that I welcome this bill to the House. New Jersey has too long been neglected in the river and harbor bills, and it is about time that Congress should learn of the inadequate care bestowed upon the rivers and harbors of that great State.

Of the Atlantic seaboard States, New Jersey is twelfth in area, fifth in population, and fourth in manufactures, and in the matter of actual importance of waterway is second to none in the entire Union; yet we find that care, widening, deepening, and general improvement of waterways have been only meagerly provided for.

Mr. Chairman, it seems to me, and it must to the committee, that when the tremendous importance of the navigable waterways in New Jersey is considered, that their neglect has been nothing short of shameful and shows an inertia on the part of Congress. Rivers and harbors far inland, which never felt the throb of a steamer or even the buzz of a motor boat, have had millions lavished on them, while my State has had but paltry and inadequate sums. The result has been, Mr. Chairman, to throw sections of that State that should be prosperous manufacturing and shipping sections into stagnation and to place important existing cities at the mercy of railroad monopolies, charging exorbitant freight rates.

To-day, as never before, is the subject of water communication of interest to the public. The people of the district which I have the honor to represent have waited patiently for many years for this much-needed improvement, and they will no doubt be greatly pleased to learn that their labors have not been in vain. New Jersey is well provided for in this bill, new projects adopted, improvements, and maintenance amounting in the aggregate to about \$1,000,000, being about one-fifth of the total amount which the Federal Government has expended on the waterways in New Jersey from the establishment of the Government, as is shown by the following statement, prepared and submitted by Hon. Franklin MacVeagh, Secretary of the Treasury:

*Statement of expenditures for river and harbor improvements, including canals, from the establishment of the Government to the close of the fiscal year ended June 30, 1911.*

NEW JERSEY.	
Alloway Creek	\$29,500.00
Atlantic City harbor of refuge	4,003.51
Cheesequake Creek	40,000.00
Cohansey Creek	61,250.00
Cold Spring Inlet	646,485.51
Cooper Creek	37,000.00
Cranberry Inlet	999.69
Delaware River, N. J., Pa., etc. (See Miscellaneous, post, p. 25.)	
Dennis Creek	4,701.05
Elizabeth River	43,160.00
Flat Beach, survey	70.80
Harbor between Philadelphia and Camden, N. J. and Pa. (See Miscellaneous, post, p. 25.)	
Goshen Creek	16,228.77
Keyport Harbor	45,475.00
Keyport Harbor, Mattawan Creek, Raritan, South, and Elizabeth Rivers, Shoal Harbor, Compton Creek, and Cheesequake Creek	210,914.00
Little Egg Harbor	15,048.00
Manasquan River	38,054.11
Mattawan Creek	42,120.00
Mantua Creek	97,400.00
Maurice River	47,200.00
Newark Bay	11,875.67
New Brunswick Harbor	13,940.88
Passaic River	1,277,811.54
Raccoon River	57,494.58
Rahway River	37,000.00
Rancocas River	34,500.21
Raritan Bay	581,497.38
Raritan River	668,335.00
Salem River	55,709.34
Shoal Harbor and Comptons Creek	24,000.00
Shrewsbury River	379,494.16
South River	113,000.00
Squan River	2,000.00
Staten Island Channel, N. J. and N. Y. (See Miscellaneous, post, p. 25.)	
Toms River	5,100.00
Tuckerton Creek	45,500.00
Woodbridge Creek	60,000.00
Woodbury Creek	450.31
Total	4,747,319.51

There are many projects in my State not provided for in this bill, due to the fact that the report of the United States engineers has not as yet been transmitted to Congress. I hope they will be taken care of in the next bill and speedily completed.

No State, in proportion to population, has done more to develop its waterways than has New Jersey. That State is now engaged in constructing a waterway, at its own expense, along the coast from Cape May to Bay Head, a distance of about 100 miles. This waterway will be not less than 6 feet deep at low tide. It will connect all of the important seaside resorts along the coast and will be of tremendous value to the farmer and manufacturer. The State is committed to the projected deeper waterway, or ship canal, across the State. Such a canal would

materially decrease freight rates, and would mean an increase in shipment and afford an adequate market for the products of both farm and factory. The legislature has also authorized the appointment of a commission to buy the right of way for the proposed canal between Raritan Bay and the Delaware River, with the intention that the State shall present the site to the United States Government whenever Congress shall signify its intention to construct the canal. The commission has been appointed and has begun its work, and an appropriation of \$500,000 has been made to carry out the work.

The report of the Commissioner of Corporations on transportation by water in the United States in part says:

"Our increasing commerce demands that our waterways shall be made an active part of our transportation system. Our inland rivers are not so now. Waterways themselves and their conditions must be so improved that they shall carry a share of the Nation's traffic proportioned to their real possibilities, and shall so supplement the rail system as to prevent the recurrence of disastrous traffic congestions. Waterway traffic has its inexorable limitations. Waterways also have their enormous possibilities. If, guided by the facts, we direct our attention to those lines of effort where success is possible, we shall utilize these possibilities.

"Our coast line is over 5,700 miles, or, with the indentations of the coast, over 64,000 miles. The Great Lakes shore line of the United States is 2,760 miles, or, with the indentations, 4,329. These lakes are connected with each other, and by canals with the Atlantic Ocean, St. Lawrence River, and the Mississippi River, there being, however, a channel of but 14 feet depth to the St. Lawrence, and this through Canadian territory, 7 feet to the Atlantic through the Erie Canal, and a still less depth to the Mississippi.

"There are over 290 streams in the country used to a substantial degree for navigation, with an approximate navigable mileage of 26,400, but with very little direct connection with each other except the Mississippi system.

"About 4,500 miles of canals have been constructed. More than one-half—2,444 miles, costing over \$80,000,000—has been abandoned. State canals, however, still operate in New York, Ohio, Illinois, and Louisiana, with a total mileage of nearly 1,360, and there are also 16 private canals of some importance in operation, with a total mileage of 632.

"Transportation by water now suffers from one far-reaching disadvantage which we can largely remedy, namely, the lack of organization of our waterway system as a whole. At present we can hardly be said to have a general waterway system. Our great total mileage of waterways is split up by certain physical characteristics into a number of largely unrelated parts. Part of the waterways consists of ocean routes of unrestricted depth and width. Part consists of lake routes of unrestricted depth, except in certain very important connecting channels. The rest consists of river and canal channels of varying and always restricted depth, of narrow width, devious courses, and with more or less current and obstructions. Most of the rivers are navigable at present only for light-draft boats. At ordinary stages of water about 40 streams have a total of at least 2,600 miles of 10-foot navigation; 70 streams, including parts of some of the 40 mentioned, give about 3,200 miles additional from 6 to 10 feet, a total of 5,800 miles of river navigation of 6 feet and over. But, again, these totals do not mean that there are any such continuous stretches of inland waterways of these respective depths. Very few of the Atlantic rivers have more than 100 miles of a depth of 6 feet. The Mississippi system has about 2,500 miles of 6-foot navigation.

"Our canals also are largely disconnected with one another, and of varying depths. Excluding the short Government canals, like the St. Marys Falls Canal, there are 13 miles of canals in operation with 10 feet depth, about 1,200 miles of 6 to 10 feet (mostly 6), and about 750 miles of 4 to 6 feet depth.

"Our interior waterways are indeed largely disconnected. But added to this is also a great difference in vessels using them, so that they are not generally "interchangeable" over different waterways. For example, on the Mississippi the shallow depth and the constant backing and turning at the innumerable bends make the stern-wheel paddle the only method generally successful; and, on the other hand, this latter is, of course, wholly unsuited for the open sea. Again, naval architects assert that, even were the large-bulk freighters of the Lakes brought to tidewater, it would be preferable and almost necessary to transship there; that these freighters are not adapted to ocean conditions.

"Vessels differ still further according to the nature of the freight. Many are adapted for a given traffic only. There are grain, ore, coal, fruit, lumber, and oil vessels. This applies especially to bulk freight. Much more than three-fourths of

the traffic on the Mississippi system is carried in bulk by barges and rafts. Over 80 per cent of the Great Lakes business is bulk traffic. A very important part of the coastwise traffic, especially coal, is bulk cargo.

"Such vessels are thus usually confined to routes where such freight is offered.

"A great part of the country's traffic is through freight. Our waterways are now divided by differences in channels, etc., and by diversity in floating equipment. The rail system of the country is standardized, physically unified, and its control is largely centralized. It is well adapted to handle such through freight. A share, at least, of this through freight is essential for the success of either system. There has been bitter competition between rail and river lines. But the inland water system, divided and disorganized by the conditions described, is greatly handicapped, especially as to through traffic.

"Under a general plan, our inland waterways can be made much more of a commercial unit. They must be placed in such a position that they can secure, even against rail competition, a far greater proportion than now of the country's traffic. River and canal traffic is now insignificant as compared with rail traffic.

"We must, of course, recognize that no reasonable expenditure will wholly remove these difficulties. For instance, it is probable that transshipment from rail to water, or from one water carrier to another, will continue to be necessary on most long inland or partly inland hauls. Transshipment means terminals. Part III of this report, now in preparation, will take up the question of terminals in detail. It has had far too little attention in the past. It is sufficient to say now that terminal improvement is greatly needed and is entirely possible.

"Since 1870 a general policy of Federal waterway improvement has been followed. The total Federal appropriations for inland river improvements up to 1907 have been over \$250,000,000. There has been very little cooperation between the central and local authorities. This has resulted in inevitable lack of uniformity and of comprehensive plan, and in the lack of any proportionate contribution from the localities peculiarly benefited. European countries have in many cases distributed the costs of waterway improvements upon localities in some ratio with the special benefits received. Such cooperation is worthy of careful consideration in any comprehensive plan of waterway improvement.

"The report sets forth certain general facts as to floating equipment, company organization, finance, legal conditions, etc. The total gross tonnage of documented vessels in the domestic trade in 1896 was 3,858,927 tons; in 1906, 5,735,483 tons, a gain of 48 per cent. American vessels in the foreign trade, whose tonnage reached its maximum in 1860, declined until 1898. Between 1896 and 1906 there was an increase of only 11 per cent in this latter tonnage. Steam has largely superseded sail power, and its proportionate tonnage is steadily increasing. The Atlantic and Gulf coasts are the most important districts, with nearly half the total documented tonnage. The Great Lakes have more than one-third of that total tonnage, and almost half the total documented steam tonnage. On the coasts and the Great Lakes there has been a marked increase in the size of vessels, bringing about there a reduction in transportation costs.

"Corporations control the great proportion of the steam tonnage, particularly the larger vessels. In 1906 the average size of vessels owned by individuals was 113 tons; by firms, 223; and by corporations, 526. There was also a proportionate increase of corporate ownership of barge lines, and even of sailing vessels, though not so marked as with steamers. There has been a recent tendency toward consolidation of many lines under single corporations. The control of steamer and barge lines will be discussed in a later part.

"The returns to the bureau as to earnings and expenses were highly unsatisfactory. Only a few rough conclusions can be drawn therefrom. Operating expenses averaged, for the companies making returns, about 80 per cent of the gross earnings, the lowest ratio of operating costs being that of the bulk-cargo vessels of the Great Lakes. The highest ratio is that of the packet lines on the Mississippi system and southern rivers.

#### WATERWAYS AND THEIR IMPROVEMENT.

"The possibilities of transportation by water in the United States may be roughly indicated by a brief survey of the extent of its waterways.

#### COAST LINE.

"The Atlantic coast line of the United States is more than 2,000 miles in length, and it is extended for a little over 1,850 miles more by the Gulf of Mexico. The Pacific coast line is more than 1,800 miles long. The coast line of continental

United States aggregates 5,705 miles. This is increased to a meandered length of 64,604 miles by including the numerous indentations, many of which provide important bay, sound, and inlet routes. Chief of these are the Gulf of Maine (so called), Long Island Sound, Delaware Bay, and Chesapeake Bay, on the Atlantic coast, and Puget Sound, on the Pacific coast.

GREAT LAKES.

"Next in significance are the Great Lakes, the most important group of inland waterways in the world. Their shore line in United States territory is 2,760 geographical miles. In the meandered length there is 4,329 miles. They are connected by a series of natural and artificial channels. Canals also connect the Lakes with the Atlantic Ocean and the Mississippi and Ohio Rivers, but these are not of dimensions to permit of through navigation by large vessels. Another series of canals, constructed by the Canadian Government along the St. Lawrence River, give 14 feet draft to Montreal, and are used to some extent by American vessels.

"On the coasts the Government has deepened harbors and connecting channels. Similar works on the Great Lakes give a depth of 20 feet on the main channels at mean water level.

COAST AND LAKE ROUTES.

"The coastwise trade routes radiate mainly from a few central ports, such as Boston, New York, Philadelphia, and Baltimore, on the Atlantic coast, and San Francisco, Portland, and Seattle, on the Pacific. On the Lakes, notwithstanding the large number of routes, the great movement of traffic follows a few well-defined main lines. Most important is the route from Lake Superior ports across Lake Huron to Lake Erie ports. Another main route, formerly the most important, is that from Lake Michigan ports to ports on Lake Erie.

RIVERS.

"The number of navigable streams used to a considerable extent for commercial purposes in the United States is about 295, with an approximate mileage of 26,400."

Mr. SPARKMAN. Mr. Chairman, I ask permission to extend my remarks in the RECORD.

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

[Mr. KINKEAD of New Jersey addressed the committee. See Appendix.]

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

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

[Mr. GODWIN of North Carolina addressed the committee. See Appendix.]

[Mr. MICHAEL E. DRISCOLL addressed the committee. See Appendix.]

[Mr. LOBECK addressed the committee. See Appendix.]

[Mr. DYER addressed the committee. See Appendix.]

[Mr. BARCHFELD addressed the committee. See Appendix.]

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Improving Boothbay Harbor, Me.: Completing improvement in accordance with the report submitted in House Document No. 82, Sixty-second Congress, first session, \$18,000.

Mr. GUDGER. Mr. Chairman, I move to strike out the last word. I regret very much I was unavoidably absent on business at the Navy Department a few moments ago when the bill H. R. 21214 was passed, known as the special excise-tax bill. If I had been present I would have voted for the bill. I have no objection to the present bill under consideration, as I find that North Carolina has been well provided for in this bill. I regret very much to say, Mr. Chairman, that this House can not find time nor does it seem inclined to make an appropriation for one of the most important interests affecting this country, namely, the public highways of the country. I know that a great majority of this body, both upon the Republican and Democratic sides, favor national aid for public roads. But it seems that it is impossible to get a bill reported for that purpose. I think that if either political party would propose a bill granting national aid for public highways and provide for a vote in this House, that that party would receive the plaudits of the American people.

Mr. CANNON. Mr. Chairman, I rise for just a moment to oppose the pro forma amendment. I have listened with much interest to the gentleman from North Carolina when he so earnestly expressed his satisfaction for the provision for North Carolina. Just what the item means for the extension of the

inland canal in North Carolina I am not perfectly clear about, because I have not read the engineer's report. But I tell you that if we had old ocean within a stone's throw of the Middle West we could get along without such a 6-foot channel as that which starts up somewhere in New England and runs to Galveston.

I want to compliment the gentleman from North Carolina [Mr. GUDGER], coming as he does from the State in which I was born. I was not to blame for that, nor am I to be complimented for it. In arms I was carried over the mountains to Indiana. I am proud of the old North State and I am glad to have been born there. But after that great contest for State rights and local self-government during the War for the Union, I am surprised that the gentleman desires one of the great parties to succeed in order that it may enter upon a system for improving the public highways of the country from the National Treasury. We have only 60,000 miles of black-dirt highways in Illinois, not a very large number. Thank God, while I am not called a Democrat, I am a better Democrat for the preservation of local self-government and for the control of local affairs than one who seeks to enter upon the improvement of all the highways in all the States and administer that improvement from the Public Treasury, and centralize and dominate that improvement, stretching 3,000 miles from one ocean to the other, as the area of the United States does. And God knows how many millions of miles of public highways we have. If the party of which I am a member favored this policy, which is to further centralize this Government and divorce the sovereign—90,000,000 in number—men, women, and children from looking after their own local interests, and put that plank in the platform, I would never indorse it.

I just wanted to say this much. I wonder how men within the sound of my voice could mistakingly fight for what they call local self-government for four long years and then stand without protest and sit without protest and listen to such a doctrine. I say, again, so far as local self-government is concerned, believing in a national government, the United States, wherever it has jurisdiction under the Constitution, is a Nation with a big "N." Still, I will, just so far as I have voice and vote, insist upon the 47 sovereign States, where they have jurisdiction, exercising that jurisdiction, instead of subverting a wise policy of letting each government, the National Government on the one hand and the State governments on the other hand, remain strong governments, each exercising its functions within its jurisdiction. [Applause.]

Mr. GUDGER. Mr. Chairman, I have no apology to make for my position favoring national aid for public roads. I have said, and I do not wish to take that statement back, that if the membership of this House could be forced to vote upon this question national aid to public roads would be granted in the Sixty-second Congress.

Why, Mr. Chairman, every mail route in this country uses the public roads for the transportation of the mails. Then why should not the National Government assist in keeping up the same. If you transport the mails over the railroads, you pay the railroads for that purpose. Then why should not the National Government assist the people in keeping up the public roads over which the mails pass?

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

Mr. GUDGER. Certainly.

Mr. MADDEN. The gentleman is in favor of building highways out of the Federal Treasury, and I wonder if he will be in favor of extending the highways to the city streets all over the Union. They are all post roads.

Mr. GUDGER. Mr. Chairman, you do not even work the streets of a municipal corporation under the State laws. They are provided for by the municipalities.

Mr. MADDEN. Oh, yes; they are under State law.

Mr. GUDGER. If it is just, give the cities a proportion of this money. The cities of this country get all the appropriations for public buildings. The great waterways of this country receive annually large appropriations, amounting to millions of dollars during the last 50 years, but when the common people, the people of the rural districts, come up and ask for an appropriation to assist them to make more valuable their property by building great public highways, then there is an objection on the part of some people to the effect that it will destroy local self-government.

Why, my friend Mr. CANNON talks about being from North Carolina. When he was born in North Carolina he was born in one of the greatest States of this country. [Applause.] It is great in times of peace and her people heroic in times of war. North Carolina needs no defense at my hands. In 1861, when this country went to war, North Carolina, from that date to 1865, furnished more soldiers for the Confederacy than there

were voters in that great State. North Carolina lost more men during that war than any other State, according to its population, and she justly holds the record of being "First at Bethel, farthest at Gettysburg, and last at Appomattox." When the war was over and peace declared she went to work to build up the waste places and came back into the Union as one of the great States. Therefore she needs no defense at my hands. I am glad the gentleman from Illinois [Mr. CANNON] was born in North Carolina. I only regret that he left the State and that he is not a great Democrat.

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

The Clerk read as follows:

Improving Cooper Creek, N. J.: Continuing improvement and for maintenance, \$5,000.

Mr. SPARKMAN. Mr. Chairman—

Mr. BROWNING. Mr. Chairman—

The CHAIRMAN. The Chair will recognize the chairman of the committee [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Chairman, I offer the following committee amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 7, line 1, strike out the word "Creek" and insert in lieu thereof the words "River (Creek)."

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:

Improving channel from Apalachicola River to St. Andrews Bay, Fla.: Continuing improvement, \$70,000.

Mr. HUGHES of New Jersey. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a statement made by Mr. Andrew Furuseth in relation to anti-injunction legislation now pending in the House.

The CHAIRMAN. The gentleman from New Jersey [Mr. HUGHES] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Following is the statement referred to:

STATEMENT OF MR. ANDREW FURUSETH—HOUSE JUDICIARY COMMITTEE, 1906.

"Mr. FURUSETH. Mr. Chairman and gentlemen of the committee, let it be clear in the minds of this committee and of Congress that labor, organized or unorganized, does not ask for the destruction of the injunction as it rightly applies to the protection of property. We do protest against and resent the perversion of the equity power, glaring examples of which you have here in your records.

"You seek our reasons for asking legislation to restrain judicial abuses of the equity power in labor disputes. I am commissioned by laboring men to present some of their reasons. We feel strongly on this question. You have had it under consideration for years, and before this committee makes any recommendations to the House I want to make suggestions which I believe go to the bottom of this subject.

"The one-man power to enjoin, to forbid, to legislate, except as used by the fathers, was, we think, first conferred upon the Roman tribunes, elected for one year, and to be used to protect the plebeians against the patricians. This power was absolute and irresponsible. The person of the tribune was made sacred. Contempt of him or violations of him were punished by death. The tribune, having been clothed with absolute and irresponsible power to forbid, it was soon understood that this included powers to command, and the tribunician power created the Roman Emperor. The powers of the Emperor, who in his person represented and exercised all the authority of the people, made him sovereign. These powers were resurrected and conferred upon Carl the Great, the first Emperor of the Holy Roman Empire of the Middle Ages.

"As absolutism developed as freedom lost to the people, the kings assumed, in theory and in fact, the powers which had been vested in the emperors of the old Empire—they became sovereigns. The power to forbid—to legislate—was vested in the king. He was sovereign, and by virtue of his sovereignty could and did rule by command or proclamation. Under the name of equity this absolute power was adopted into our system, but only in the form and for the purpose then used in England. It was conferred upon our Federal judges, who are appointed for life. We suffer under the misuse of this power. We believe that it has been unduly extended. We come to you to submit our complaint, and it is not that the judges have not power enough, but that they are exercising powers which we believe they have not. We fear this power; we feel its results.

From what we have seen we believe it capable of infinite extension, when permitted to go beyond the boundary set at its adoption into our system. I shall now endeavor to state why we fear it and what reasons we think we have for this feeling.

"Any condition of society, no matter how produced, which condition prevents a healthy family life, is destructive of humanity and should be resisted.

"The condition may be inherent in the system; it may have been artificially created by legislation or by judicial decisions. In either case it is man's sacred duty to insist upon such changes or remedies as shall put within reach of the industrious father the power to support a family in health.

"The energies of existing society are devoted to the production of wealth for sale. The struggle between individual firms, communities, and nations is to produce wealth so cheaply as to be able to undersell any other.

"To be the workshop of the world was the ambition of England of the Manchester School of Economics. To accomplish this land, machinery, and labor had to be brought to the lowest figure and skill to the highest. Land and machinery bought for the lowest figures and held in private ownership were conceived to be the most economical, and the question was how to get the cheapest possible labor. The workers must have sufficient wages for subsistence and reproduction.

"Under the old system of production labor had been needed especially on the land, and it had therefore been tied to each manor by registration, and its wages determined by judges sitting in quarter sessions under the statute of laborers. The concentration brought about by factory production made the old system costly, hence inconvenient, and the registration in manors and the statute of laborers were repealed. The laborers, however, remained on the land in too great numbers, and they were needed in the factories. When needed on the land they were tied to the land. Now, when needed in the factories they were driven from the land. The first condition of getting labor cheap is to so arrange that it becomes plentiful and dependent, hence the razing of old English villages and the driving of the workers into the cities, where, landless and homeless, they must work for such wages as the employers should be willing to pay.

"But as wages must be sufficient for sustenance and reproduction, the cost of food became all important. For generations England had maintained a protective tariff on foodstuff in the interest of the landowner. The factory owner wanted cheap food in order to get cheap labor, and between the two interests arose a fierce struggle, which ended in the present system of free trade in foodstuffs. Under the existing system of land tenure and prices farming became unprofitable, tilled land was turned into pastures, and more laborers were driven into the cities to bid against those already there. Thus followed further reduction in wages and a still further lowering of the standard of living. It came to a condition in which the husband, working 16 hours per day, was utterly unable to provide for the family. Children were compelled to work in the dusty atmosphere of the factories for 14 to 16 hours per day; their physical development was arrested; their mental and moral development became impossible. Still lower wages and standards had to go, and mothers were compelled by bitter need to work underground, doing work now done by mules, steam, or electricity, or to stand on their feet tending machines until it often happened that they were taken with labor pains at their work.

"Labor, voiceless, homeless, and hungry, had been made so cheap that its very cheapness was destroying its efficiency and threatening its extinction.

"Laborers resisted to the best of their ability, but leaving one master who was bad often meant going to another who was worse. If one or more men quit there were others to take their places; quitting work singly was no remedy, since it could not interfere with production by stopping machinery. They then joined together in unions—voluntary associations—based upon the right of quitting work individually. As subjects they had the same rights as other subjects—freedom of locomotion, of speech, of the press, and of assembly. Assuming that they did not lose these rights by laboring for a living, they assembled, they discussed their grievances, they printed them in pamphlets, books, and papers. They appealed to others to join with them, and determined to refuse to labor until their worst grievances should be remedied, and found that while the statute of laborers had been repealed, the conspiracy law, based upon this statute, was, according to the rulings of the judges, still in force, and they were punished for doing as workmen what they as subjects had a full right to do.

"They did not give up, although they found themselves thus punished; combinations to raise wages being forbidden, they still combined; notwithstanding traitors in their own ranks,

they struggled onward. They punished their traitors as liberally as did the old Germans in their Fehm-Gericht. They were executed or transported for having acted as judges and executioners, but they still persisted. They could but partly stay the inevitable downward trend; but at last it became evident that wages must be sufficient for sustenance and reproduction, and legislators were compelled to pass laws legalizing collective action and curtailing the power of the judiciary.

"The trade-union acts were passed and the conspiracy law was amended, so that men in England might use their rights as subjects to defend their interests as workers. How many men were driven from their families, executed, or transported, to what extent the race was crippled, before relief came from legislative depression of the wage rate or judicial usurpation in the interest of cheap labor, we can only surmise. But it came at last, thanks to the bitter and determined struggle of the workers, assisted to some extent by humanitarians, chiefly members of England's old aristocracy.

"Not that the struggle there is won, but improvement has begun, and that it will continue and finally be won may reasonably be expected from the temper which could face prison and transportation in the past.

"The political, social, and industrial conditions of the United States have throughout been patterned upon those of England.

"Substantially our President has the power which was vested in the King of England at the time of the third George. Our Senate and House of Representatives are substantially the House of Lords and the House of Commons. We copied from England the common law, our system of jurisprudence, with the Bill of Rights and the powers of the judges. We adopted the English system of land tenure, entail excepted.

"Our industrial system is taken from England and has followed the English lines in its development—chattel slavery in some States, contract slavery in all at one time. Term contracts to labor were for long in common use in this country, and were transferable by inheritance or sale. They were recognized by the organic law, and one of its clauses provided for their enforcement. That this system did not in the earlier days of the Republic produce the same results as in England was due to the unlimited amount of land ready for squatters' occupation, and when the servitude became too galling the Indian country west of the Alleghenies lay open for settlement, safe from servitude and assured of sustenance.

"After the adoption of the Declaration of Independence and the Constitution the enforcement of term contracts to labor was stopped in some Northern States, and such contracts ceased to be made. The individual workman could leave the employer with whom he was dissatisfied and seek another. The white worker's right of locomotion and of the absolute ownership in his own body became, except in one or two callings, recognized. The system of chattel slavery was destroyed, and an amendment to the Constitution forbidding its existence was adopted.

"With freedom to seek better conditions and with land yet plentiful, there were early marriages, large families, and a healthy people. There was no mournful cry of race suicide. But as land became settled or absorbed in individual ownership, and this outlet was stopped, city slums grew; low wages, long hours, and want became more and more common here. Wages went below the line of subsistence and reproduction, the number of marriages and of children decreased, while prostitution grew. This became so apparent that the census gave much attention to ascertain the extent of the condition. It was found to be worse than was suspected, and the talk of race suicide was heard—women standing on their feet until their capacity for motherhood was destroyed; children stunted in their physical and mental growth by work utterly unsuited to their age.

"Remedies more or less successful were suggested and tried. Here, as in England, men quit as individuals, but found the quitting ineffective. Here, as there, they came together in voluntary associations and quit work in unison until their grievances should be redressed, and in doing so found themselves violating statutes or judicial decisions designed purely to keep labor cheap. Constant agitation, repeated violations, and punishment gradually molded a public opinion that compelled a final recognition of men's right to quit work collectively—to strike. Statutes and decisions treating the strike as conspiracy were repealed or became obsolete.

"Men who had struck endeavored to persuade fellow workmen not to take their places—this in order to compel an adjustment of the trouble—and when adjustment did not follow, appeals were made to the public to cease giving patronage to the unfair firm—that is, they levied a boycott on the firm in question.

"Thus the two main weapons of organized labor came into use, and as they grew older and more systematic they became so effective that the employer was looking for some remedy, and, from out of the lumber room of the past, came the injunction, as it was when most abused by the court of star chamber—that is, it came as a proclamation by the court forbidding the workers to perform some specified or unspecified acts of which the employer complained on pain of being punished for contempt of court. This seems to be what the injunction is nowadays when used in labor disputes. It used to be 'a judicial process operating in personam and requiring the person to whom it was directed to do or refrain from doing particular things,' and this to protect property right.

"Like other parts of our judicial system, we have our injunctions from England. The King, by virtue of his absolute power—legislative, judicial, and executive—would be appealed to when someone was about to do something not forbidden by the law, yet which, if done, would cause great injury. Something needed to be protected; the law was insufficient; and, by virtue of his absolute power, the King could and did supply the remedy. Addressed to one subject, it was a royal command, if to many, a royal proclamation. In the first instance it was intended to protect the individual and in the second the community. As the law became more complete the need for such proclamations became less imperative, their places being taken by statute law or usage accepted as law; but, law and usage being general, in their application serious injury might happen to individuals; hence the royal power was more and more restricted to individual instances of injustice or injury.

"The King being too busy to sit in court to exercise his power, delegated it to his chancellor, and it grew apace until it came into serious conflict with the common law and the jury system. Its purpose being to prevent great wrong by forbidding the action which would cause such wrong, the penalty necessarily had to be swift and certain, and violation being a disobedience of the King's command—contempt of the King—and the facts being easily ascertained, punishment was immediate in operation and severe in kind. The royal power being irresponsible and absolute, it was necessarily misused by the individuals intrusted with its execution and their friends and had to be curtailed, circumscribed, and carefully guarded.

"There was a time when the court of star chamber was used in England, as our courts are now being used, to forbid the doing and then punish disobedience without trial by jury in any and every direction. Personal liberty was at the whim and caprice of this court. But the English people would not long tolerate any such use of the royal power. The people abolished the court of star chamber and compelled the King to sign the bill of rights.

"It became the fundamental principles of chancery, or equity, that—

"(1) It was to be exercised for the protection of property rights only.

"(2) 'He who would seek its aid must come with clean hands.'

"(3) 'There must be no adequate remedy at law.'

"(4) It must never be used to curtail personal rights.

"(5) It must not be used to punish crime.

"It was substantially in this shape that it was accepted by this country, ingrafted in our Constitution, and the power of its administration conferred upon our courts.

"Equity, law, and jurisdiction at that time had a specific meaning, and any extension in jurisdiction, any enlargement of scope, must come from the people through an amendment to the Constitution or there is judicial usurpation.

"If injunctions which nowadays are issued in disputes between employers and employees can stand the test of these principles, our complaint should be against the law; if they can not, then we have a just complaint against the judges who, either from ignorance or mistaken zeal for public order and cheap labor, misuse their power—act as a sovereign in issuing his proclamations.

"The fundamental principle of American law, as we understand it, is that there shall be no property rights in man. A man's labor power is part of him; it fluctuates with his health, decreases when he grows old, and ceases at his death. It can not be divorced from man, and therefore, under our system, can not be property. Property may be bought, sold, or destroyed without destroying the possessor thereof; it is the product of labor or of nature. Labor is an attribute of life, and through no system of legitimate reasoning can it be treated or denominated as property. An individual, a firm, or a corporation runs an enterprise for the production of some form of property. Through grant or purchase land has been obtained. Upon the

land buildings have been erected and machinery installed, and to the plant has been brought the necessary raw material. These things are property, and, based upon its possession, contracts are entered into to furnish within a given time a stated amount of commodities.

"Giving this property in pawn, money is borrowed to pay operating expenses. But without labor these things will produce nothing. Labor is obtained and production begins. Being in business to make money, the company in question, assuming the producing concern to be a combine, first endeavors to find out how much of any given kind of work a man can do going at his highest capacity, and it begins the piecework. Prices are gradually reduced until the greatest capacity is ascertained, and that becomes the standard of production. Wages are gradually reduced until the labor of the husband can not sustain the family. The wife helps in any way she can, and the children are sent to the factory. Still the earnings are too small, and the wife goes there also. Wages are under the danger line, but are still going down. A poorer home—ragged and untaught children growing up as half savages. Young men and women see the situation and refrain from matrimony. Marriages and births are on the decline, and the rising generation is stunted.

"The laborers get together in voluntary association; that is, they use their freedom of assembly. They bring their grievances before the management, petition for redress of grievances. They are refused, and, to enforce their position, they use their right to quit work—use their freedom of locomotion. They publish the facts of the disagreement, the causes which led thereto; they induce, or endeavor to induce, other workers to make common cause with them—their right freely to print and publish. They are successful to such an extent that production is partially stopped. The company endeavors to get other men and the men on strike appeal to the public to refrain from purchasing commodities manufactured by the firm; they levy a boycott. They appeal to fellow workmen and the public to use their purchasing power to redress a grievance. Sales of stock on hand decrease and the company is unable to meet its obligations, fill its orders, or fulfill its contracts.

"The company then goes to some judge and appeals to him to use the equity process to protect what it calls its property. It sets forth that it has the land, the appliances, the raw material, and contracts to deliver goods; but, owing to a 'conspiracy' on the part of labor, it is unable to get workmen, and its property—that is, its business—is being destroyed. The judge takes the statement and issues an order forbidding the workmen 'to interfere with the business' of the firm. The workmen know that disobedience means imprisonment for contempt, and, disheartened and hopeless, they obey. The firm gets new men, its business moves again, but those at work must live in squalor, children must be laboring instead of at school, women must be in the factory instead of in the home. Home life is destroyed. Still fewer grow the marriages, still fewer the children. The equity process has been used so that homes are destroyed, women are made barren, and the coming generation of men are made unfit for their life work.

"Has any judge the right to use the equity power in this way? The workmen have used their constitutional rights as citizens—freedom of locomotion, of assembly, of speech, and the press. They have not destroyed any tangible property; they have neither interfered with nor threatened to interfere with any property. But the attorney for the plaintiff sets up the idea that the earning power of property is property; that is, business is property. The earning power of a plant depends upon labor and sales depend upon patronage. The firm can have no property right in labor, because that is inherent in the laborer and would mean property right in the laborer. The firm has no vested right in the patronage of the public. Patronage is the free act of the patron. Under our system it is a new doctrine that the ownership of a store carries with it a vested right in the patronage or that the ownership of a factory carries with it the vested right to so much labor and at such prices as will make it profitable. Such doctrine followed to its logical conclusion would destroy all personal liberty, transform existing society, and reestablish the feudal system.

"Do these men who are driving women into the factory and crippling the race come into court with clean hands?

"They seek the aid of equity to protect their financial and industrial interests, and yet they run their industry in such a way as to cause untold misery, destitution, and crime. Wages so low as to cripple or destroy the race. If their hands be clean, how must they act to be considered unclean?

"Injunctions, proclamations, used contrary to and destructive of constitutional guaranties of individual freedom, are usurpation, whether they take place in a monarchy by the king or in a republic by a judge. The power is the same, its results are the

same, and a people that will endure become serfs, will deteriorate and die.

"Gentlemen, you have before you two bills dealing in different ways with injunctions. H. R. 4445—the present Wilson bill—by Mr. Little, of Arkansas. You have had this bill before you during several Congresses. You have had hearings on it, and, so far as has appeared at those hearings, this bill would, if enacted into law, put a stop to the use of injunctions in labor disputes. That the relations between laborers and their employers are personal relations, as distinct from property relations, that the rights of either party are personal rights, as distinct from property rights, will hardly be seriously disputed. If these are the true relations, then there is no occasion for the equity power to step in. We maintain that it is pure usurpation on part of the judge to so extend the powers granted to him as to cover labor disputes. We believe that by passing this bill you stop the usurpation and bring the law and the judges back to where it and they belong. Labor will be content with nothing less. Anything short of this robs the laborer, because he is a laborer, of his rights as a citizen.

"You have also before you H. R. 9328—the present Moon bill—'A bill to regulate the granting of restraining orders in certain cases,' by Mr. Gilbert, of Indiana. This bill, supposed to have had its origin in the White House and drawn in the Bureau of Corporations, confers upon the courts sitting in equity absolute jurisdiction in all cases 'involving or growing out of labor disputes.' The judge is to give the defendant a hearing, but may, as in any other suits at law, proceed if the defendant shall fail to appear. We have complained that the use made of the equity process in labor disputes is usurpation of a sovereignty not granted to the courts. It seems to us that in this bill the grant is about to be made.

"Sovereignty was partially, not wholly, delegated to the Federal Government; the States and the people are presumed to retain full powers of sovereignty. The judiciary has been permitted to claim title to and exercise an undefined authority by congressional tolerance—the absence of prohibitive statutes.

"Federal judges—I speak respectfully and by way of illustration—found a kind of 'legal public domain' upon which any daring squatter might locate. The judiciary entered, took possession, and this bill—9328—is apparently designed to establish their title in fee simple 'to have and to hold forever.'

"Labor disputes are controversies between employers and employees, and they involve the hours of labor, the wage to be paid, rules under which work is to be performed, the number of apprentices, and the qualifications of men at the work. Growing out of them are strikes, boycotts, the inducing of men to quit work or to refuse to go to work, and efforts to induce the public to cease buying the goods produced. The judge sitting in equity is given jurisdiction by this bill, we think, over all these relations. He is to investigate, to hear and determine, to act, in fact, as arbiter, and he is given the equity power with which to enforce his decree.

"If this be not the reenactment of the law giving to judges the power and making it their duty to set the wages as at the quarter sessions after hearing both sides, what is it? The Romans conferred this absolute and irresponsible power on a tribune, elected for one year, in order that he should use it to protect the weak against the strong. Are we going to give it to our judges, appointed for life, to be used by the strong against the weak? The English gave it to their judges to use in the interest of landed proprietors against the raise of wages caused by the black death. Thorald Rodgers, in his *Six Centuries of Work and Wages*, has told us the result.

"Why can you not trust the judges, somebody asks? We do trust them. They are to use this power to stop strikes. When they have to choose between giving the award in favor of the employer who seeks to reduce wages or to have him stop, as he threatens, the business which gives employment to thousands, and thereby throw them out of work, his very humanity, as he feels it, will decide the award. It will be downward, downward, and downward, as under the law of the quarter sessions. It is said that his bill has the indorsement of the President. That can not be. If he understands this bill and then gives to it his indorsement, he is an enemy to honest labor struggling under adverse conditions for a better life—nay, he would be an enemy to human liberty. We do not believe, will not believe, it.

"In the labor movement, as well as in all walks of life, there are differences of opinion, divergent perspectives.

"Organized labor demands an anti-injunction law that will absolutely limit the power of judges when they deal with controversies growing out of labor disputes, not a law that will be used as a compulsory arbitration act."

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Improving Oklawaha River, Fla.: Continuing improvement and for maintenance from the mouth to Leesburg, including Silver Springs Run, \$15,000: *Provided*, That such part of this sum and of the amount now available as is necessary may be expended for maintenance of levels in the lakes at the head of the stream as provided for by the act approved June 25, 1910, or in such further improvement of the stream as may be recommended by the Chief of Engineers.

Mr. MANN. Mr. Chairman, I move to strike out the last word. As to this item on page 20, with reference to improving the Oklawaha River, in Florida, it provides that money may be expended for the maintenance of levels in the lakes at the head of the stream, as provided for by the act approved June 25, 1910, or in such further improvement of the stream as may be recommended by the Chief of Engineers. What is the project there?

Mr. SPARKMAN. Mr. Chairman, the project contemplates the putting in of a relatively inexpensive lock and dam—one that will cost only about \$25,000. The purpose is to maintain the levels of the lakes above the dam. By putting in the dam the levels will be maintained, and by putting in the lock commerce will not be impeded. But the main purpose is to maintain the lake levels. It was feared by the engineers that if the river was deepened in that locality it would cause the water to run off so fast that the levels of the lakes above would be materially reduced.

Mr. MANN. I think that reduction of the levels would be a very desirable thing to accomplish. A large share of the State of Florida is composed of lakes, which, if drained, would be of some value. Here is a proposition to spend money to keep the land from being drained where it ought to be drained. In one end of Florida the gentleman proposes to have dams to keep the water from going off, and at the other end we are asked to appropriate money to drain the swamps.

Mr. SPARKMAN. I will say to the gentleman that in the one case the land is valuable for agriculture, and in the other the water is more valuable for the purposes of navigation.

Mr. MANN. Oh, I do not suppose anybody would think that the navigability of the lakes at the head of the Oklawaha River would be of much value. I am familiar personally with that locality. There is no commerce there and will not be in the future to any great extent.

Mr. SPARKMAN. Oh, yes; there is.

Mr. MANN. But, on the other hand, there are great lakes there which, if drained off, would furnish a lot of fertile land on which people might cultivate crops. Here is a deliberate purpose to prevent the drainage of these lakes.

Mr. SPARKMAN. I will say to the gentleman from Illinois that we have great quantities of valuable lands in Florida, other than the lands covered by these lakes, that are not yet being utilized, so that the lands under these lakes are perhaps not yet needed for cultivation; and I do not think the people down there will want to drain the lakes at the head of the Oklawaha River, as they are now so valuable for purposes of navigation.

Mr. MANN. I have some lands down there myself that are not being cultivated. But, on the one hand, we are asked to pay money to drain some lakes, and, on the other hand, here is a provision to prevent the lakes from being drained.

Mr. HUMPHREYS of Mississippi. I will say to the gentleman that the commerce of those lakes is valued at \$1,000,000.

Mr. MANN. Oh, there is very little commerce on the Oklawaha River.

The CHAIRMAN. The pro forma amendment will be considered withdrawn. The Clerk will read.

The Clerk read as follows:

Improving Tombigbee River, Ala. and Miss.: For maintenance, from the mouth to Demopolis, Ala., \$10,000, and from Demopolis, Ala., to Walkers Bridge, Miss., \$8,000; in all, \$18,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I do not see the gentleman from Mississippi [Mr. CANDLER] in the House. If he were here I think it would be due to the House that the gentleman from Mississippi should explain this proposed appropriation for the improvement of the Tombigbee River.

Mr. CANDLER. Mr. Chairman, of course everybody knows the importance of this appropriation in the bill, and—

Mr. MANN. No; I do not think we can pass this item without an adequate explanation of it from the gentleman from Mississippi.

Mr. CANDLER. This provision, Mr. Chairman, adds very much to the beneficent results which will be obtained from this river and harbor bill in general. But, much as I would like to discuss this particular item, yet on account of the lateness of the hour and the importance of the bill as a whole and the necessity of getting it along as fast as possible, I think the gentleman from Illinois will agree with me that this provision explains itself.

Mr. MANN. Not at all. I think the gentleman will have to make a better explanation than that or I shall move to strike it out.

Mr. CANDLER. I feel sure my good friend from Illinois will not do that, for I assure him that no provision in this bill is more just or meritorious. If, however, a motion should be made to strike it out, then, of course, I would want to be heard at some length, and I have no doubt I can demonstrate the wisdom of the great Rivers and Harbors Committee in placing this provision in the bill. They did so after a full, satisfactory, and exhaustive hearing, in which this project was forcibly presented by Col. John P. Mayo and Mr. J. G. Weatherly, of Columbus, Miss., who were thoroughly equipped with incontrovertible facts and figures which fully justified the action of the committee.

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

The Clerk read as follows:

Improving Cumberland River above Nashville, Tenn.: For maintenance of improvement by open-channel work, \$5,000.

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

I never have subscribed entirely to the rule followed by the committee with respect to recommendations made by the Department of Engineers. I refer alone to that portion of their recommendation which involves the transportation and commercial features of a river. In so doing I do not mean to cast doubt or discredit in the least on the efficiency and the splendid work of that department. However, in a number of cases, where the committee undertake to adopt an ironclad rule following implicitly the recommendations of the Department of Engineers with respect to the commercial possibilities of a river, the result is that a number of worthy streams are discriminated against. I will not say they are intentionally discriminated against, but that is the result. I allude in particular to the Cumberland River in Tennessee, a magnificent stream of nearly 500 miles of navigable river. It stood here favorably acted upon, both by the Department of Engineers and by the Congress, for more than 20 years. By some system of reasoning the Department of Engineers have said that they would only improve it at one point or section at a time, with the result that that section, comprising 200 miles running through the greatest undeveloped forest and mineral region south of Pittsburgh without railroads or other suitable transportation facilities, is left with no improvement contemplated, at least during this generation, if we are to judge by the speed with which this river has been improved during the past years. Yet the committee, under its ironclad rule, avers that it is powerless to adopt or even consider the judgment of the best business and transportation people in this great valley with respect to the time and the manner of improving this river. For many years the Department of Engineers said this river should be improved in two different sections at the same time, for the reason that the upper section, with this immense amount of forest and mineral land undeveloped, is the most satisfactory and chief feeder for the lower river. I insist, Mr. Chairman, that the committee ought at times to exercise at least a revisory supervision over the recommendations of the Department of Engineers in so far as they relate purely to the transportation and commercial proposition, especially when that question is backed up by the solid judgment of the business and transportation people most familiar with the situation and most capable of judging. I hope that by next winter, when the next bill comes up, this committee will not feel called upon to follow this rule under such circumstances as will exclude this 200 miles of river with more commerce in its unimproved condition than many dozens of rivers that have had millions expended upon them in the construction of locks and dams. The lower river work on Locks B, C, and D should go on. At the same time Locks 8, 9, and 10 should be constructed. I call attention to the matter in the hope that the committee will keep this class of river and harbor legislation in mind, and will try to see if the injustice can not be remedied. [Applause.]

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn. The Clerk will read.

The Clerk read as follows:

Improving Cumberland River below Nashville, Tenn.: Continuing improvement by the construction of Locks and Dams B, C, and D, \$300,000; for maintenance of improvement by open-channel work, \$5,000; in all, \$305,000.

Mr. GARRETT. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Page 30, after line 18, insert as a new paragraph the following: "Improving Oblon and Forked Deer River, Tenn.: Continuing improvements and for maintenance, \$540.85."

Mr. GARRETT. Mr. Chairman, I very much hope that the chairman of the committee [Mr. SPARKMAN] can see his way clear to accept this amendment. The amount asked for is small, and the amount is not the important thing. The question of the abandonment of this project on these two streams is one of very considerable importance to the citizens living along those streams. They are small rivers, but they have been under improvement for from 20 to 30 years. The improvement of the Forked Deer River began in 1882. The improvement of the Obion River began in 1891.

In 1903 the two rivers were put together under one project, and since that time there has been appropriated for their improvement and for the maintenance of the work \$2,250 annually.

There has been expended under the various projects that have been in operation on these streams \$67,437. For the calendar year 1910 there was transported over these streams 23,911 tons, the registered tonnage of vessels being 282 tons, and the value of the commerce carried over the streams was \$274,467.

Of the appropriation which was last made there remains the sum of \$1,709.15 available for expenditure, and all that is proposed in this amendment is the appropriation of an additional amount sufficient to make up a total of \$2,250, which has been applied to these streams annually since 1903.

The gentleman from Florida [Mr. SPARKMAN] understands that I am not so much interested in the question of amount as I am interested in the matter of this project of improvement not being abandoned. I very much fear that the failure to appropriate here will be construed as an abandonment of this project of improvement or maintenance on these streams. It seems to me that the commerce of more than \$274,000 carried over these rivers in the year 1910 ought to justify the committee in making this small appropriation to continue this project of improvement.

It is growing more and more important, particularly upon the Forked Deer River. About 21 miles of that river is under improvement, the town of Dyersburg being the head of navigation on the stream. Dyersburg is a growing town. Its commerce is growing. The railroad rates upon various commodities are, I believe, affected by this river improvement, particularly, I may say, upon the commodity of coal, which at certain seasons of the year can be carried into that city by barge, saving the people there from 2 to 4 cents per bushel on the coal which they buy in that town.

[The time of Mr. GARRETT having expired, by unanimous consent it was extended three minutes.]

Mr. GARRETT. I am not asking for anything new. I am not asking for anything except that the work which has been in progress from 20 to 30 years shall be continued, at a time when it is becoming more and more important. I very much hope that the committee can see its way clear to accept this amendment. I have never offered buncombe amendments on the floor. I try to approach local questions as seriously as I approach general questions. I am not asking this for the benefit of my personal fortunes, but base it upon the merits of the proposition. It does seem to me that a commerce of \$274,000 plus justifies this appropriation of \$500 plus to continue a project that has been in operation for 20 or 30 years, and I appeal to the gentleman from Florida to permit this amendment to be engrafted upon the bill.

Mr. SPARKMAN. Mr. Chairman, I should like very much to accommodate the gentleman from Tennessee, but under the circumstances I can not see my way clear to do so. The engineers have twice reported adversely upon the continuation of that project. In the last annual report, I believe it is, the Chief of Engineers, or the local engineer, makes the recommendation that that project be abandoned. There are \$1,700 on hand already that the engineer refused to expend. Why they refused to expend it I do not know, except what I gather from the language of the report, and that is that they do not consider the improvement worthy of being carried on further.

Mr. GARRETT. The engineer reports against it on the ground that expenditures have not been made for lack of funds. I do not desire to criticize the engineer in charge of the district, and I do not know what his motives are, but his statement is incorrect; he has had the funds. The engineer there has recommended that it be discontinued, and proceeded to prove his faith by his failure to work. He has refused to carry out the mandate of this House and of the gentleman's committee at the last Congress, which carried the appropriation, notwithstanding the adverse recommendation of the engineer.

Mr. SPARKMAN. Yes; and notwithstanding that the engineer refuses to expend it. I will suggest that the gentleman have a resolution from the Committee on Rivers and Harbors

requesting the board to reexamine the matter and report thereon. If that is done, he can have a hearing and perhaps get somebody down there, some member or members of the board, to go over and examine the places where the work is desired and possibly have the opinion of the local engineer reversed if the trouble started with him. But in the face of the fact that there is an adverse recommendation and the engineers absolutely refuse to expend the money that they have on hand, something like \$1,700, I think it would be folly for us to make another appropriation and add another appropriation to that already made when it could possibly serve no good purpose. I hope the amendment will be voted down.

Mr. GARRETT. Will the gentleman permit me? I want to say that I have carried this matter before the supervising board and the board, as I am informed, made no recommendation one way or the other about it. They said they could not by any action of theirs change the recommendation; that it was a matter that your committee should deal with.

Mr. SPARKMAN. I will suggest to the gentleman that when he went before the board the matter was not officially before them.

Mr. GARRETT. I beg the gentleman's pardon, the recommendation of the local engineer was before them.

Mr. SPARKMAN. I mean that it was not formally placed before them for reexamination. If it is thus placed before them they will investigate the matter anew.

Mr. GARRETT. Mr. Chairman, the fact remains that here is \$274,000 worth of commerce over two streams, and I am only asking in this amendment for an appropriation of \$500.

Mr. MANN. Would the gentleman be willing to throw out the 85 cents to get any support? [Laughter.]

Mr. GARRETT. My friend from Illinois is facetious. I offer an amendment carrying just the amount which added to the unexpended balance will make the sum of \$2,250, which amount has been carried for years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. GARRETT].

The question was taken; and on a division (demanded by Mr. GARRETT) there were—ayes 18, noes 49.

So the amendment was rejected.

The Clerk read as follows:

Improving French Broad River, Tenn.: Continuing improvement and for maintenance of French Broad and Little Pigeon Rivers, \$15,000.

Mr. AUSTIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 30, between lines 21 and 22, insert the following: "Improving Clinch River, Tenn. and Va.: The sum of \$2,000 authorized by the river and harbor act approved June 25, 1910, to be expended on Clinch River in the State of Virginia, is hereby made available for improving said river in the State of Tennessee as recommended on page 730 of the Annual Report of the Chief of Engineers for 1911."

Mr. SPARKMAN. Mr. Chairman, the committee will accept that amendment.

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

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

The Clerk read as follows:

Improving Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of 9 feet, \$3,200,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$2,200,000, exclusive of the amounts herein and heretofore appropriated.

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

Mr. Chairman, Lord Bacon never uttered a truer proposition than when he said:

There be three things which make a nation great and prosperous—a fertile soil, busy workshops, and easy conveyance for man and commodities from one place to another.

The great philosopher knew that progressive nations seek the most economical routes to the seas and the world markets along their shores, and that superior facilities for transportation develop, more than all the other agencies, the productive capacity, the wealth, and the happiness of a people.

In 1894 the Ohio Valley Improvement Association was formed for the purpose of forwarding the improvement of the Ohio River. The association worked in season and out of season, and while many others could be named for their devotion and activity, yet to former Representative in Congress John L. Vance, its president; Capt. J. F. Ellison, its secretary; and Hon. Albert Bettinger, its booster in chief, belongs especial praise for having been largely instrumental in having Congress adopt a policy with reference to waterways improvements, which took the place of the old-time pork-barrel projects.

Congress, in March, 1905, authorized the appointment by the Secretary of War of a board of engineers, whose duty it should be—

To examine the Ohio River and report at the earliest date by which a thorough examination can be made, the necessary data with reference to the canalization of the river, and the approximate location and number of locks and dams in such river, with a view both to a depth of 6 feet and 9 feet; and in said report shall include the probable cost of such improvement with each of the depths named, the probable cost of maintenance, and the present and prospective commerce of said river, upstream as well as downstream, having regard to both local and through traffic.

They shall also report whether, in their opinion, such improvement should be made, and whether other plans of improvement could be devised under which the probable demands of traffic, present and prospective, could be provided for without additional locks and dams, or with a less number than is described in surveys heretofore made, giving general details relating to all of said plans and the approximate cost of completion thereof. They shall also examine the said river from the mouth of the Green River to Cairo, with a view to determining whether an increased depth can be maintained by use of dredges.

Prior to this time there had been a survey of the river from Pittsburgh to the mouth of the Big Miami River, and the improvement to a 6-foot stage contemplated by the construction of 37 locks and dams. Some of these were approaching completion, but the Ohio Valley Improvement Association was urging a 9-foot channel, which plea the Government finally heeded in the authorization above mentioned. Under the authority of the act the Secretary of War appointed a board of engineers, which promptly entered upon the task of making the survey and furnishing the information requested. A thorough inspection was made, and much time devoted to ascertaining the extent of the commerce carried on the river.

The board made a voluminous and exhaustive report in December, 1907, and concluded with a strong recommendation for the improvement of the river to a 9-foot stage. The report deals with a number of interesting matters, which time permits me to mention but briefly. We learn that there are but 79 days in the year when boats drawing 8½ feet can leave Pittsburgh and but 97 days in the year when such boats can pass Louisville. Yet the present commerce is found to be about 13,000,000 tons annually, and that if the river were navigable all the year round to a depth of 9 feet this commerce would be enormously increased.

Attention is called to the fact that within the 30 miles next below Pittsburgh, where a 9-foot navigable depth is completed, practically every site suitable for a large manufacturing plant has been acquired. All the heavy tonnage from around Pittsburgh—steel, iron, and coal—will, on account of cheaper freight rates, resort to transportation by river and seek a market south and southwest in this country, and on the Pacific coast and the Orient when the Panama Canal is completed.

Let me digress at this point to call attention to an article published in the Outlook of July 8, 1911, entitled "What shall We Do with It?" referring to the Panama Canal. The article contains an interview with Col. Goethals, who favors the United States Government running the canal after it is completed. He says:

If we do not run the business end of the canal, it will be administered by huge private interests, which will effectually block our attempts to make the waterway a one-price institution, for the commercial possibilities are such as to tempt trust magnates quite as strongly as newly discovered gold fields draw wild-eyed prospectors. There is a fortune to be made by the concern that gets and holds the upper hand in the matter of coaling stations on the zone. I want that "concern" to be the United States. If we control the coal supply, we can offer at a reasonable, unchanging price the best grade of Pocahontas and New River coals and still make a profit. We are in the best position to run the coaling stations because, by experiments lasting over four years, we have found the grade of coal best suited for use in the Tropics—a question which has gone unsolved since steamships began to ply the waters within 20° of the Equator. In this particular grade of West Virginia coal the dampness during the rainy season causes less deterioration, and in the subsequent dry spells it has proved that spontaneous combustion is less likely to occur.

Now, does it not occur to you at once that vast quantities of coal from the West Virginia coal fields will be floated down the Ohio River and thence by the Mississippi into the Gulf of Mexico on its way to Panama? But the report also points out that all the conditions favorable to a large increase in local commerce are present, and compares the results to be achieved with what has been accomplished by the improvement of the Rhine in Germany and the Volga in Russia.

While actual statistics are not obtainable for all our waterways, it is generally conceded that water transportation costs only about one-sixth as much as the average cost by rail.

The report makes the astonishing statement that—

The steamer *Sprague* tows to market from Louisville to New Orleans sometimes as much as 60,000 tons of freight on a single trip. The *Kaiserin Augusta Victoria*, one of the largest ocean ships afloat, has a freight tonnage of 25,000 tons. The horsepower of the *Sprague* is 2,175, while that of the *Kaiserin Augusta Victoria* is 17,200, and that of sufficient railroad locomotives to haul the *Sprague's* cargo on an average grade road 24,000.

The board finds that to secure a depth of 9 feet will require 54 dams, at a cost approximately of \$64,000,000, and concludes its report with the following recommendation:

In view of the enormous interests to be benefited by continuous navigation on the Ohio River and the great development which may be expected from such increased facilities, the board is of the opinion that the Ohio River should be improved by means of locks and dams to provide a depth of 9 feet from Pittsburgh to Cairo.

President Taft, in his message to Congress in December, 1909, included a recommendation that Congress provide said sum of \$64,000,000 necessary to complete said improvement a distance of 1,000 miles.

The Mississippi River has already been improved to a 9-foot stage from Cairo to New Orleans, a distance of another 1,000 miles. Of the tributaries flowing into the Ohio from the south, the Monongahela, Kanawha, Big Sandy, Kentucky, and Green Rivers have been improved to a 6-foot stage, and the Cumberland and Tennessee Rivers are now being improved to the same extent. The Muskingum is improved to a point above Zanesville, and the Allegheny has been made navigable to a point 25 miles above Pittsburgh and the improvement is being extended.

Congress has determined to proceed with this great enterprise, appropriating \$5,500,000 in 1911, and this bill carries \$5,600,000 to prosecute the work. The Fernbank Dam is a part of this plan, and it will at all times keep a 9-foot stage of water in front of the city of Cincinnati and as far up as Coney Island. That Congress is deeply interested in this improvement is shown by the fact that the Rivers and Harbors Committee of the House of Representatives made a trip of inspection of the improvements of the Ohio River from Pittsburgh to Cairo in July last, devoting 10 days to the trip, and it is the present plan to complete the project in less than 10 years.

A glance at the map and a tracing of this river system at once reveals the momentous importance of these improvements. A complete transportation system by water will be set in the midst of the Ohio Valley, so magnificently devised as to serve all sections.

It will at once mean a general lowering of freight rates from Pittsburgh to Kansas City and from the Lakes to the Gulf. The people in the Ohio Valley will be the most direct beneficiaries. Cincinnati, the most central city of that valley, will be especially benefited. Indirectly the whole country will feel the effects of the new freight rates.

Uninterrupted navigation to thousands of towns and cities, to the sea, to the Panama Canal, will mean an increase of business in all lines.

Steamers and barges will make their appearance in much greater numbers than was ever known in the calmest days of river business. The cheap transport of raw materials will stimulate manufacturing enterprises. River cities will take on new life and the Ohio Valley will become a beehive of industry.

The Clerk read as follows:

Improving Ohio River: Continuing improvement and for maintenance by open-channel work, \$200,000.

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

The Clerk read as follows:

Amend, page 31, line 25, after the word "dollars," by adding the following: "Provided, That \$5,000 of such sum may be used for dredging purposes at Elizabethtown Harbor, Ill."

Mr. FOWLER. Mr. Chairman, it will be seen by this amendment that the proposition does not carry with it an appropriation of a single dollar. The appropriation which is provided for by the bill in this paragraph is for the purpose of doing work generally upon the Ohio River. I have asked that a certain portion of this amount, being a very small sum, may be diverted to specific work on the Ohio River at Elizabethtown, Ill. Opposite that town lies the foot of Hurricane Island, with the body extending up the river for a distance of 4 miles. In size it is a thousand-acre island. The main channel ran on the Illinois side until a few years ago. Two very large sand bars, in working their way down the river, chanced to come down on the Illinois side, which was then the main channel. The river being rather narrow between the said island and the Illinois shore, caused these sand bars to move very slowly and accumulated to such extent that the main channel was forced over on the Kentucky side. Just below Elizabethtown, about 1 mile, on the Illinois side, are some steep limestone ledges, about 50 feet high, and forming a part of the shore, known as Jacks Point. Between Elizabethtown and Jacks Point lies a pocket in the Ohio River on the Illinois side. These large sand bars lodged in this pocket about six or eight years ago, and are held there indefinitely by Jacks Point, the larger body of which lies down the river, leaving shoals between the point of Hurricane Island and the main body of the sand bars, which are too shal-

low during the low-water season to allow boats to enter the harbor at Elizabethtown. This condition prevails from three to five months during the busy season in the year.

The water in Elizabethtown Harbor and close to the Illinois shore is quite deep the year round, and boats are only prevented from entering this harbor because of the shoals lying between the foot of Hurricane Island and Jacks Point. What I seek by this amendment is to have these shoals dredged, cutting a channel through to the deep water in the harbor. I think \$5,000 will be ample for this purpose. If this were done, boats could enter our harbor with ease the entire year. The river is the only means of transportation for the people at this place. Boats carry all their mail on this river, and when low water sets in our commerce lingers until the river rises, and our mails are often stopped for weeks and must be carried overland. Think of such delays, paralyzing all business for months, with no way to reach relief save at the hands of a righteous Congress. Therefore, Mr. Chairman and gentlemen of the committee, I beg of you that you give to this town the benefit of this small appropriation, not an additional appropriation, but simply a diversion of a part of the money which is appropriated by this paragraph, so that my people may enjoy the conveniences which are enjoyed by other towns on the Ohio River. This, and nothing more, am I requesting by this amendment.

Mr. SPARKMAN. Mr. Chairman, I hope this amendment will not prevail. In the first place, we have been trying to get away from a practice that prevailed up to within a few years ago of directing the engineers where to expend portions of a lump sum appropriated for the improvement of a river—a practice not to be recommended. Such matters should be left, in most cases, to the engineers; and this, in my judgment, is such a case. In the next place, if the gentleman has a project upon which this work can be done, the amendment is not necessary, as the engineers can and will do that work, in my judgment, if it is proper to do it. If there is no project, then it can not be reached in this way—indeed, can not be reached at all until there is a survey and a project furnished with a favorable recommendation. I have suggested to the gentleman that he have a survey, and have prepared one which I propose to introduce, or consent to its insertion in the bill at the proper place.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

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

The Clerk read as follows:

Amend, page 31, after the word "dollars," in line 25, by adding the following:

"Provided, That \$3,000 of said sum shall be used for dredging the harbor at Elizabethtown, Ill."

Mr. FOWLER. Mr. Chairman, I have consulted members of the Engineering Department for the improvement of the Ohio River at my home town, and I have been told by one of them that, in his opinion, this work might be done under the provisions of this bill as it now stands without making specific directions therefor, as is provided by this amendment. But, Mr. Chairman, I was also told by him that he was not positive of the matter. Now, this sand bar, which creates these shoals, has been lying there for six long years, and during the low-water period the people of this town have been shut out from regular mail facilities, their passenger and freight transportation have been so disturbed and delayed that we never know when or what to buy or to sell, because prices have a chance to change many times before deliveries can be made, and when we leave home we never know but what we will be compelled to walk back. I therefore, Mr. Chairman, beg the committee and the honorable chairman of the Committee on Rivers and Harbors that consent may be given to the passage of this amendment. I am not asking to increase the appropriation; I am not asking for an additional cent; I am not asking for anything that the committee has not already consented to except to locate the place where a very small part of the improvement shall be done.

Work which has been neglected, Mr. Chairman, for six long years, over the protests of the citizens and the Congressmen representing my district. I have repeatedly gone to the Engineering Department within the last year and requested that some work at that point be done, whereas, Mr. Chairman, my requests have been ignored and the work has never been done. Yet, Mr. Chairman, the same character of work has been done at other towns on the Ohio River without specific appropriations therefor. And I insist, Mr. Chairman, that there ought to be some kind of fairness in this river-improvement work; there ought to be some kind of fairness which would give to the people who are blocked off in their commerce, who are shut out from their mails, who are held up in their avenues of commu-

nication, and cut off from the daily intelligence of the country. I insist, Mr. Chairman, that there ought to be somewhere along the line some kind of fairness dealt out to these points on the Ohio River which have been ignored and neglected for years. I trust, Mr. Chairman, that the committee and the honorable gentleman who is at the head of this committee will consent to this small amendment, because it is harmless to other people and other cities on the Ohio River, yet it will carry to the citizens of Elizabethtown a ray of hope on which they may hang until the dredge boat, under the authority of the Engineering Corps, as she rounds the foot of Hurricane Island, sounds her musical whistle as a signal that the great Government at Washington is ever mindful of the welfare of the American people, even my constituents on the banks of the beautiful Ohio. [Applause.]

The question was taken, and the amendment was rejected.

Mr. FOWLER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 31, after the word "dollars," in line 25, by adding: "Provided, That a portion of said sum may be expended at Elizabethtown, Ill., for dredging purposes."

Mr. SPARKMAN. Mr. Chairman, I make the point of order that this is practically the same amendment upon which we have voted, and therefore it is not permissible.

Mr. FOWLER. If the gentleman desires to be heard on his point of order or the Chair desires to hear argument on the question I will be glad to be heard myself. Mr. Chairman, it is not the same amendment at all, because it leaves the whole matter to the discretion of the Engineering Corps to expend whatever sum of money, in its judgment, is necessary to give relief to the people at that town, and for that reason, Mr. Chairman, it can not be said to be the same amendment.

Mr. SPARKMAN. Mr. Chairman, I withdraw the point of order.

Mr. FOWLER. Any amendment, Mr. Chairman, which varies in amount where an appropriation is carried can not be said to be the same amendment. The committee might not appropriate or consent to appropriate—

Mr. EDWARDS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. EDWARDS. Has not the point of order been withdrawn?

The CHAIRMAN. Yes; but the gentleman had five minutes to discuss his amendment and has three minutes remaining.

Mr. FOWLER. Mr. Chairman, I offer this amendment directing that dredging be done at Elizabethtown, Ill., without naming any particular sum to be used for this purpose, because I can readily see that the committee might not be willing to vote for an amendment carrying a specific sum, yet at the same time would be willing to vote for an amendment which leaves it to the discretion of the Engineering Corps and those in authority to exercise their better judgment as to what amount is necessary to be expended. For that reason I decided to put the amendment in this shape so that the honorable chairman of the Committee on Rivers and Harbors and the Committee of the Whole House on the state of the Union can see that I am dealing honorably in this matter. I am perfectly willing to leave the amount to be expended to the better judgment of the Engineering Corps. I am persuaded that they in their wisdom will spend only so much money as may be necessary to give relief to my people. I therefore trust, gentlemen, that you will vote for this simple and harmless amendment. It is not an appropriation but it is only a direction as to where a part of the work shall be done. I think, gentlemen, it is a fair proposition because we have been neglected and caused to suffer many privations for six long years.

I do not regard it as an innovation upon the rules of the honorable Committee on Rivers and Harbors.

I think this amendment is in perfect harmony with their rules as I understand them, although I am a new Member. Gentlemen, I have never asked for the appropriation of one dollar of money out of the Treasury of the United States for my district. This is the first time I have asked you even to consider my district in any wise whatever. And what I am now asking for is simply to direct your attention to an emergency, so that you in your wisdom may locate the place where a portion of this work on the Ohio River may be done in order that my patient, suffering home people may be relieved, and that justice may prevail. I trust, gentlemen, that you may see your way clear to vote for this amendment and give my home people an opportunity to enjoy regular mail service and easy access to the highways of commerce and business, so that they may have the same kind of facilities as are intended to be provided for by this great Government. [Applause.] It is said that Thomas

B. Reed, on being reminded that his billionaire Congress had been criticized for extravagance for appropriating a billion dollars for current expenses, replied, "Its a billion-dollar country." [Applause.] And so it is. Let us make all necessary appropriations for the business of a great Government, so that our enjoyment and happiness may be correspondingly large.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

In the collection of statistics relating to traffic, the Corps of Engineers is directed to adopt a uniform system of classification for freight, and upon rivers or inland waterways to collate ton-mileage statistics as far as practicable.

Mr. MANN. I reserve a point of order on the paragraph. I would like to ask whether, in the opinion of the Corps of Engineers, it is practicable to adopt a uniform system of classification for freight.

Mr. SPARKMAN. I must confess I have not inquired of the engineers, but this provision was copied from the provision in last year's bill, and I am informed that the engineers are going ahead with the work required by that paragraph.

Mr. MANN. The gentleman does not know whether it is practicable or not?

Mr. SPARKMAN. No; I can not state, because I have never asked the engineers that. I do know, however, that they are going ahead with the work.

Mr. MANN. If the gentleman will pardon me, I think they have made no report under this provision in the existing law.

Mr. SPARKMAN. I am sure they have made no report. I understand they are going ahead with the work.

Mr. EDWARDS. The gentleman will notice the language at the conclusion of that paragraph is "as far as practicable."

Mr. MANN. That is, as to the collation of ton-mileage statistics as far as practicable.

I withdraw the point of order, as nobody knows anything about it.

The Clerk read as follows:

Baltimore Harbor, Md., with a view to securing greater width in the channel of approach at York Spit, Chesapeake Bay.

Mr. TALBOTT of Maryland. Mr. Chairman, I offer the following amendment, to come in after line 3 on page 46.

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

The Clerk read as follows:

Page 46, after line 3, add the following:

"Channel to Curtis Bay, in Patapsco River, Baltimore Harbor, and with a view of securing a channel with a depth of 34 feet, or such increased width over the completed project as may be deemed advisable."

Mr. SPARKMAN. Mr. Chairman, I accept that amendment.

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

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

The Clerk read as follows:

Roanoke River, from Clarksville, Va., to the present head of steamboat navigation, below Weldon, N. C.

Mr. HOLLAND. Mr. Chairman, on page 47, after line 2, I desire to offer the following amendment.

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

The Clerk read as follows:

Page 47, after line 2, insert:

"Eastern branch of Elizabeth River, Va., from Norfolk & Western Railway Bridge to Broad Creek."

Mr. SPARKMAN. Mr. Chairman, I have no objection to the amendment.

Mr. HUMPHREYS of Mississippi. I suggest, if there is no objection to the amendment, that it be at the end of page 46.

Mr. HOLLAND. I have no objection to that.

Mr. HUMPHREYS of Mississippi. It ought to come in there.

The CHAIRMAN. The amendment will be considered as applying after line 25, on page 46. The question is on agreeing to the amendment.

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

The Clerk read as follows:

New River, Dade County, Fla., from the head of navigation to its outlet in the Atlantic Ocean, with a view to creating a deep-water harbor for seagoing vessels.

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

We are now on the item in relation to projects in the State of Florida. There were some 20 items in the fore part of the bill for Florida, providing for appropriations for projects in that State, and at this place there are a good many more items for new projects. If there ever was an illustration of the desirability and advisability of retaining a Member in Congress from a district or a State, it is well exemplified in the case

of my genial friend from Florida, the chairman of the Committee on Rivers and Harbors. [Applause.] In the course of many years he has worked his way along on the Committee on Rivers and Harbors until he has become its chairman. If he had not been retained in Congress for years, this honor would not have come to him. And, having reached the position of chairman, with great influence upon the committee and with very great knowledge of the necessities of his State, the committee very properly and very generously has provided for an appropriation for the improvement of every place in the State which has been surveyed, and then proposes to have a surveying project for every harbor, outlet, inlet, river, branch, creek, or spring in the State. The gentleman from Florida deserves it, and I have no doubt that if he returns to his place and continues in Congress he will see to it that all these rivers and creeks on which we ordered surveys will be in the end improved so that 20-foot steamers may pass through the Panama Canal up into all parts of the State of Florida.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Arroyo Colorado, Tex., up to Harlingen.

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

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

The Clerk read as follows:

On page 50, between lines 20 and 21, insert the following: "Harbor at Brazos Island, Tex."

The CHAIRMAN. The question is on the amendment of the gentleman from Florida [Mr. SPARKMAN].

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Little Kanawha River, W. Va., from Creston to the head of practicable navigation.

Mr. FOWLER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The Clerk read as follows:

On page 51, between lines 20 and 21, insert the following: "Little Wabash River, Ill."

Mr. SPARKMAN. We have no objection to that, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FOWLER].

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

Mr. FOWLER. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The Clerk read as follows:

On page 51, between lines 20 and 21, insert the following: "Ohio River, at or near Elizabethtown, Ill."

Mr. SPARKMAN. We have no objection to that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FOWLER].

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

Mr. HAMILTON of West Virginia. Mr. Chairman, I offer the following amendment, to follow line 20, page 51, just preceding the last two amendments adopted.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from West Virginia [Mr. HAMILTON].

The Clerk read as follows:

On page 51, to follow line 20, insert "Hughes River, W. Va."

Mr. SPARKMAN. Mr. Chairman, we have no objection to that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. HAMILTON].

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Artificial waterway from Lake Erie at or near Toledo, Ohio, to the southerly end of Lake Michigan by way of Maumee River and the city of Fort Wayne, Ind., or other practicable route.

Mr. MANN. Mr. Chairman, in relation to the last item that has been read I desired to submit some remarks, but at this hour I will ask leave to extend my remarks in the Record. [Applause.]

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record? Is there objection?

There was no objection.

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

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

The Clerk read as follows:

On page 52, between lines 2 and 3, insert the following: "Ashtabula Harbor, Ohio, with a view to widening, straightening, and deepening the channel of the Ashtabula River."

ASHTABULA RIVER.

Mr. BATHRICK. Mr. Chairman, since this bill has been under consideration—about two and one-half hours—commerce in the vicinity of Conneaut and Ashtabula, the two great harbors of my district, has been humming. In this brief time nearly 200 carloads of coal and ore and other products have arrived or departed from these important ports. From Ashtabula every day in the year, for 365 days, 1,500 carloads of the products of America are moved toward their destination.

The amendment asked proposes to open communication on the Ashtabula River from one part of the harbor to another. In the short stretch of river between the outer harbor and the deep water of an inner basin the river forms an elbow, through which the ships of other days could conveniently pass. But the increase in length of modern Lake vessels makes it almost impossible for them to pass the segment of the river curve thus formed at the present time.

The purpose of this survey is simply to ascertain means by which to correct this defect, and I sincerely hope it may receive the approval of the House.

I can not conclude without recalling that at the beginning of this session we Members from Ohio viewed with no little alarm the omission from the great Rivers and Harbors Committee of any representation from Ohio, with her wonderful water line on the north and south. But I am, in justice to the worthy chairman, Mr. SPARKMAN, of Florida, constrained to express my appreciation for their uniform courtesy and careful consideration for Ohio's interests.

Mr. Chairman, I renew my request that this amendment will prevail.

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Harbor at Elk Rapids, Mich.

Mr. BATHRICK. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio [Mr. BATHRICK].

The Clerk read as follows:

Between lines 7 and 8, page 52, insert: "Mahoning River, with a view to snagging that portion between Warren and Levittsburg, and 5 miles farther toward its source."

Mr. SPARKMAN. Mr. Chairman, the committee will accept that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BATHRICK].

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Wolf River, Wis.

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

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

The Clerk read as follows:

On page 52, between lines 18 and 19, insert: "Fox River, Wis., with a view to determining what repairs or extensions, if any, should be made to the levee at Portage, Wis., in the interests of navigation and to prevent injury to the Government work on Fox River, consideration being also given to the question of cooperation on the part of the State of Wisconsin and other local interests in the repair, extension, and maintenance of such levee."

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Waterway from Lake Superior to the Mississippi River by way of Allouez Bay, at the easterly end of the Duluth-Superior Harbor, and the Amnicon, Moose, and St. Croix Rivers, Minnesota and Wisconsin.

Mr. MANN. Mr. Chairman, I reserve a point of order on that paragraph until I know what this is—a canal from Lake Superior to the Mississippi River.

Mr. DAVIDSON. Mr. Chairman, I am perfectly willing to give an explanation if the gentleman desires it. There has heretofore been a survey made on a different route from this from the head of Lake Superior to the headwaters of the Mississippi River by the way of the St. Croix River, but that project was adversely reported upon. This proposes to make a

connection between Lake Superior and the Mississippi River by way of the St. Croix River through Allouez Bay, at the easterly end of the Duluth-Superior Harbor, and the Amnicon, Duluth, Moose, and St. Croix Rivers.

A waterway between Lake Superior and the Mississippi River is a matter that has been desired for a number of years, and it is thought and hoped by those who have investigated the project that this will be a practicable route. They desire to have a survey made. I do not think a point of order lies against it, because it involves the improvement of the streams mentioned, except a connecting link of about a mile in length.

Mr. MANN. Well, while I think I may be doing a wrong thing when I do it, I will withdraw my point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Reservoirs at headwaters of Mississippi River, with a view to the construction of locks in the dams heretofore built at Pokegama, Winnibigoshish, and Leech Lakes, in the State of Minnesota.

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

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

On page 53, between lines 14 and 15, insert the following: "Baudette Harbor and River, Minn."

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

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

Mr. STEENERSON. Mr. Chairman, I would like to have leave to extend my remarks on that proposition.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Red River of the North, from Wahpeton, N. Dak., and Breckenridge, Minn., to the international boundary line, with a view to its improvement by the construction of locks and dams or otherwise.

Mr. TAGGART. 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 report the amendment offered by the gentleman from Kansas [Mr. TAGGART].

The Clerk read as follows:

After line 19, page 53, insert the following: "The Kansas River, from the mouth to the western limits of Kansas City, Kans., with a view to removing all obstructions therefrom, dredging, and widening the mouth, and extending the improvement so as to fit the same for navigation, and to consider propositions for cooperation on the part of local authorities and interests."

Mr. SPARKMAN. Mr. Chairman, we have no objection to that.

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Missouri River, from the mouth of the Kansas River to a point at or near the western limits of Kansas City, Kans.

Mr. TAGGART. I offer the following amendment.

The CHAIRMAN. The gentleman from Kansas offers the following amendment, which the Clerk will report.

The Clerk read as follows:

After the word "Kansas," in line 22, page 53, insert the following: "Consideration being also given to the question of cooperation on the part of local interests in the construction of levees, ripraps, and revetments."

Mr. SPARKMAN. Mr. Chairman, I hope that amendment will not prevail. It is not altogether in the line of river and harbor improvement; that is, it does not contemplate an improvement wholly in the interest of navigation. For that reason the committee can not accept it, and I trust it will be voted down.

The CHAIRMAN. The question is on the amendment of the gentleman from Kansas [Mr. TAGGART].

The question being taken, the amendment was rejected.

The Clerk read as follows:

Stockton and Mormon Channels, Cal., including the diversion canal, with a view to determining what, if anything, may or should be done by the United States, either alone or in conjunction with the city of Stockton and the State of California, or with either of them, in order to increase the capacity of said diversion canal from its upper end in Mormon Channel to the mouth of Calaveras River in the San Joaquin River, so that said canal shall carry the entire flood flow of Mormon Channel and thus prevent the deposit of material in the navigable portions of Stockton and Mormon Channels.

Mr. GARRETT. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from Florida a question for

information. Is there any project in this bill which has not the approval of the local engineer or the Board of Engineers?

Mr. SPARKMAN. There is no project in this bill that has not the approval of the Chief of Engineers.

Mr. GARRETT. Is there any project in this bill that is here against or despite the recommendation of the local engineer or the Board of Engineers?

Mr. SPARKMAN. The local engineer is occasionally turned down by the board and sometimes by the chief; and the chief, having the power, sometimes turns down the Board of Engineers. I suppose there are some two or three items in this bill, favorably recommended by the chief, that have an adverse recommendation from the board. I think I know of two or three.

Mr. GARRETT. Are there any projects in this bill that have been recommended for discontinuance by the local engineer and the Board of Engineers?

Mr. SPARKMAN. None that I know of. If any had been called to my attention they would not have gone in.

Mr. GARRETT. The gentleman ought to know what the fact is about that.

Mr. SPARKMAN. I say no; there are none.

Mr. GARRETT. And the gentleman says, then, that there is no project in the bill that has not the approval of the Chief of Engineers?

Mr. SPARKMAN. At least, the Chief of Engineers. There is none that has not his approval.

Mr. GARRETT. But there are projects in the bill that have not the approval of the local engineer and have not the approval of the Board of Engineers.

Mr. SPARKMAN. I know there are projects that have not the approval of the Board of Engineers, but they have the approval of the chief. We seldom find it necessary to go back to the report of the local engineer to ascertain just what it is. We are usually governed by the recommendation of the Chief of Engineers.

Mr. GARRETT. You are usually governed by that, but not always.

Mr. SPARKMAN. We are always governed by it; yes—that is, where we adopt the project.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read:

The Clerk read as follows:

SEC. 4. That hereafter the Secretary of War is authorized and directed to have made annually, through the Chief of Engineers, United States Army, so far as practicable, an investigation and examination of all water terminal and transfer facilities contiguous to any harbor, river, or other waters under improvement by the United States, and reports on the same shall be submitted to Congress in annual reports or otherwise. Such examination and report shall include, among other things, the following:

Mr. MANN. I take it that section 4 will be considered by itself. There are several paragraphs in it which are closely related.

The CHAIRMAN. The Chair thinks so.

The Clerk read as follows:

(a) The general location and description of water terminals and the extent and method of their use by water carriers and their general efficiency, and whether open to use by all water carriers on equal terms, and such information as may be accessible as to the terms and conditions of use;

(b) Whether physical connection exists between such water terminals and the railroad or railroads serving the same territory or municipality, and also whether there exists between any of the water carriers operating upon waters under improvement or heretofore improved and any railroad or railroads a mutual contract for interchange of traffic by prorating as to such long-distance traffic as may be desired to be carried partly by rail and partly by water to its destination;

(c) Whether improved and adequate highways have been constructed to each water terminal;

(d) If no water terminals exist, there shall be included an opinion in general terms as to the necessity, number, and appropriate location of terminals upon such waters.

Mr. MANN. Mr. Chairman, I reserve a point of order upon the section and, without discussing it, simply suggest to the gentleman that this is a matter that probably would be better experimented with instead of putting it into the permanent law. I think, myself, it is not necessary to have this report every year. Is the gentleman willing to strike out the word "hereafter" in line 14 and then strike out the word "annually" in line 15 and insert "for the fiscal year 1913," so that it would require this report for one year? Then the committee would be far better able to tell whether it ought to be made every year.

Mr. SPARKMAN. Mr. Chairman, if the gentleman from Illinois desires to offer that as an amendment I have no objection to it.

Mr. MANN. If the gentleman is willing to accept it I will withdraw the point of order. I move to strike out, in line 14, the word "hereafter;" and in line 15 the word "annually" and insert in lieu thereof the words "for the fiscal year 1913."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 59, line 14, strike out the word "hereafter." On page 59, line 15, strike out the word "annually" and insert in lieu thereof the words "for the fiscal year 1913."

Mr. SMALL. Does the gentleman from Illinois think the words "for the fiscal year 1913" will accomplish his purpose? The committee hoped that the report might be made at the next session.

Mr. MANN. Well, make it "during the fiscal year of 1913." I think either one would cover it.

Mr. SMALL. The report is to be made at a certain time.

Mr. SPARKMAN. I suggest that it be confined to the two years 1912 and 1913.

Mr. BURGESS. I would suggest that the language is perfectly plain; why not leave it alone?

Mr. MANN. I do not want to take the time to discuss it. This proposes to ask the same information to be furnished every year relating to the same places where there has been probably no change in the situation at all, and will only cumber up the report of the Chief of Engineers with a lot of information not necessary; and besides, much of this information will be duplicated by the work of the Interstate Commerce Commission.

Mr. BURGESS. The next river and harbor bill will have the same provision and then we can pass upon that.

Mr. MANN. As it stands in the bill it makes it permanent law, and that is the objection I have to it.

Mr. SPARKMAN. I suggest that it be made to include the years 1912 and 1913.

Mr. MANN. That is satisfactory.

Mr. SMALL. I think that would be better.

Mr. DAVIDSON. That will give time to get all the reports in.

Mr. SMALL. Instead of "annually" say "during the years 1912 and 1913."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 59, line 15, strike out the word "annually" and insert in lieu thereof the words "during the years 1912 and 1913."

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

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

The Clerk read as follows:

SEC. 6. That there shall be printed 3,000 copies of the laws of the United States relating to the improvement of rivers and harbors passed between March 4, 1907, until and including the laws of the second session of the Sixty-second Congress, of which 600 copies shall be for the use of the Senate, 1,400 copies for the use of the House, and 1,000 copies for the use of the War Department. Said compilation shall be printed under the direction of the Secretary of War.

Mr. LAFFERTY. Mr. Chairman, all of Oregon's rivers and harbors have been well taken care of in the river and harbor bill which has just been read and which we are going to pass to-night. The appropriations for the district I have the honor to represent approximate \$2,000,000 for the coming year. For this liberal consideration I desire, in behalf of the district, to thank the local engineers stationed in Oregon, the Committee on Rivers and Harbors, and the House itself.

However, the report of the engineers looks with favor upon two propositions of great importance to the district that are not included in this bill. They are, first, the adoption by Congress of the project for a 30-foot channel to replace the present 25-foot channel between Portland and the ocean, and, second, the giving of authority to the Secretary of War to make advance contracts for materials to be used in building the north jetty at the mouth of the Columbia, to be paid for out of future appropriations, not to exceed \$855,000.

The bill appropriates \$150,000 to improve the channel between Portland and the ocean, and appropriates \$1,000,000 to be expended at the mouth of the Columbia. But the engineers feel that further recognition should be given this great work by approving the project to deepen the channel to 30 feet and by authorizing the making of contracts for \$855,000 worth of extra materials to be used at the mouth of the river, bringing the total appropriations for the mouth of the Columbia up to \$1,855,000. I went before the House committee when it had this bill under consideration and did all within my power to have the two items here referred to included in the House bill. As the bill is now being passed without those two items, I hope that they will be included when the bill reaches the Senate. They are just items, and the commerce carried on the Columbia between Portland and the sea more than warrants the expenditure.

This bill also carries an appropriation of \$600,000 for the Cello Canal. The engineers have reported that the work could be finished more economically if this annual appropriation were increased to \$1,000,000. I trust this increase will also be made in the Senate, and that the House will concur therein when the bill is returned to us. I have found it impossible to increase any of these items in the House, and I observe that no increases

have been made by amendment here to-day on the request of any other Member, so I have been treated as well as the rest in this regard.

I am not complaining. I am thankful for the liberal treatment the great State I have the honor in part to represent has received. But as the total commerce handled on the Columbia River between Portland and the ocean now amounts to \$75,000,000 a year, I hope to see the 30-foot channel adopted before this bill becomes a law, and I hope to see the contract authorization given for extra materials for the building of the north jetty at the mouth of the river. This would bring the total appropriation for the district up from approximately \$2,000,000 to approximately \$3,000,000; but her great waterways, which are national highways of commerce, justly deserve the recognition. [Applause.]

As a part of my remarks I print the three sections of the bill as they should read, to include the amendments that I hope will be agreed to in the Senate, and put in italics the language proposed to be added by way of amendment.

The paragraph beginning on line 22, page 38, should be amended to read as follows:

Improving Columbia and Lower Willamette Rivers below Portland, Oreg.: Continuing improvement and for maintenance, *in accordance with the report submitted in House Document No. 1278, Sixty-first Congress, third session, \$150,000.*

The paragraph beginning with line 1, page 39, should be amended to read as follows:

Improving mouth of Columbia River, Oreg. and Wash.: Continuing improvement and for maintenance, including repairs and operation of dredge, \$1,000,000: *Provided, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$855,000.*

The paragraph making the annual appropriation for the Celilo Canal should be amended by striking out the words "six hundred thousand dollars" and inserting in lieu thereof the words "one million dollars."

Of course, if these amendments, or any of them, shall be made in the Senate, the Oregon legislators in that body, and not myself, will be entitled to the credit; but I do not want the bill to leave the House without making a record of the fact that I have done all within my power, nor would I have the bill leave the House without pointing out the amendments that I think should be made.

[Mr. SMALL addressed the committee. See Appendix.]

Mr. TAGGART. Mr. Chairman, I ask unanimous consent to return to page 40 of the bill to offer an amendment.

The CHAIRMAN. Is there objection?

Mr. SPARKMAN. I object.

The CHAIRMAN. The gentleman from Florida objects.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with the recommendation that the amendments be adopted and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAINY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had under consideration the bill H. R. 21477, the rivers and harbors appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. [After a pause.] The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

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

On motion of Mr. SPARKMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ENROLLED BILLS SIGNED.

Mr. CRAVENS, 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. 17837. An act to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes";

H. R. 9845. An act to authorize the sale of burnt timber on the public lands, and for other purposes;

H. R. 17242. An act to authorize the Northern Pacific Railway Co. to cross the Government right of way along and adjacent

to the canal connecting the waters of Puget Sound with Lake Washington at Seattle, in the State of Washington;

H. R. 16680. An act to authorize the board of county commissioners of Baxter County and the board of county commissioners of Marion County, in the State of Arkansas, acting together for the two counties as bridge commissioners to construct a bridge across White River at or near the town of Cotter, Ark.; and

H. R. 18155. An act authorizing the town of Grand Rapids to construct a bridge across the Mississippi River in Itasca County, State of Minnesota.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 9845. An act to authorize the sale of burnt timber on the public lands, and for other purposes;

H. R. 17242. An act to authorize the Northern Pacific Railway Co. to cross the Government right of way along and adjacent to the canal connecting the waters of Puget Sound with Lake Washington at Seattle, in the State of Washington;

H. R. 17837. An act to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes";

H. R. 18155. An act authorizing the town of Grand Rapids to construct a bridge across the Mississippi River in Itasca County, State of Minnesota;

H. R. 16680. An act to authorize the board of county commissioners of Baxter County and the board of county commissioners of Marion County, in the State of Arkansas, acting together for the two counties as bridge commissioners to construct a bridge across the White River, at or near the town of Cotter, Ark.

#### ADJOURNMENT.

Mr. LLOYD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 27 minutes p. m.) the House adjourned until Wednesday, March 20, 1912, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS.

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, calling attention to House Document No. 615, on the subject of an appropriation to pay expenses of Federal exhibits for the Fifteenth International Congress on Hygiene and Demography, and transmitting communications received by the Treasury Department from the Secretaries of War, Navy, Interior, Agriculture, and Commerce and Labor upon that subject (H. Doc. No. 631); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, inclosing draft of a resolution, with a favorable recommendation, authorizing the Secretary of the Treasury to accept a substitute deed from grantor to the site acquired for the post-office building in the city of New York, the substitute deed to be satisfactory to the Postmaster General and Attorney General of the United States (H. Doc. No. 632); to the Committee on Public Buildings and Grounds and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 22043) to authorize additional aids to navigation in the Lighthouse Service, and for other purposes, reported the same without amendment, accompanied by a report (No. 430); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 21435) granting a pension to Bennie C. Longan, and the same was referred to the Committee on Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 22080) to establish a mining-experiment station at Auburn, Placer County, Cal., to aid in

the development of the mineral resources of the United States, and for other purposes; to the Committee on Mines and Mining.

By Mr. TAYLOR of Colorado: A bill (H. R. 22081) to establish a mining-experiment station at Silverton, San Juan County, Colo., to aid in the development of the mineral resources of the United States, and for other purposes; to the Committee on Mines and Mining.

By Mr. ESCH: A bill (H. R. 22082) to provide for the investigation of controversies affecting interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER: A bill (H. R. 22083) relating to inherited estates in the Five Civilized Tribes in Oklahoma; to the Committee on Indian Affairs.

By Mr. LA FOLLETTE: A bill (H. R. 22084) in aid of irrigation and creating a lien on public lands in the State of Washington situated within the boundaries of any irrigation district organized or hereafter organized under the laws of said State, and providing a mode of enforcing such lien by contest proceedings; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 22085) authorizing the Secretary of War to convert the Army post at Fort George Wright, Wash., into a brigade post; to the Committee on Military Affairs.

By Mr. PARRAN: A bill (H. R. 22086) to amend an act entitled "An act to establish a code of law for the District of Columbia"; to the Committee on the District of Columbia.

By Mr. HIGGINS: A bill (H. R. 22087) to provide for the purchase of a site and the erection of a public building thereon at Danielson, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. HOWELL: A bill (H. R. 22088) to establish a mining-experiment station at Salt Lake City, Salt Lake County, Utah, to aid in the development of the mineral resources of the United States, and for other purposes; to the Committee on Mines and Mining.

By Mr. STEPHENS of Texas: A bill (H. R. 22089) to segregate the funds of the Kiowa, Comanche, and Apache Indians, and for other purposes; to the Committee on Indian Affairs.

Mr. KINKAID of Nebraska: A bill (H. R. 22090) to subject the lands in the former Fort Niobrara Military Reservation and other lands in Nebraska to homestead entry; to the Committee on the Public Lands.

By Mr. MONDELL: A bill (H. R. 22091) making appropriation for maps showing enlarged homestead areas; to the Committee on Appropriations.

By Mr. HARDWICK: A bill (H. R. 22092) to extend the time of the Twin City Power Co. for the completion of a dam across the Savannah River; to the Committee on Interstate and Foreign Commerce.

By Mr. GOOD: Resolution (H. Res. 451) that the order of the House agreeing to a conference with the Senate on the disagreeing votes of the two Houses to House joint resolution 39 be rescinded, and that the conferees on the part of the House be discharged, etc.; to the Committee on Rules.

By Mr. CARTER: Joint resolution (H. J. Res. 275) authorizing a per capita distribution of the tribal funds of the Choctaw and Chickasaw Indians; to the Committee on Indian Affairs.

By Mr. WILSON of New York: A memorial from the Legislature of New York, urging a provision for the improvement of the inlet to Lake Champlain; to the Committee on Rivers and Harbors.

Also, memorial from the New York State Senate, asking that a battleship be built at the United States navy yard at Brooklyn; to the Committee on Naval Affairs.

By Mr. SIMMONS: Memorial from the New York State Senate, asking that a battleship be built at the United States navy yard at Brooklyn; to the Committee on Naval Affairs.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDRUS: A bill (H. R. 22093) granting a pension to Adelaide E. Ruton; to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 22094) for the relief of the estate of Heluter Tounoir, deceased; to the Committee on War Claims.

Also, a bill (H. R. 22095) for the relief of the estate of Augustin Laban, deceased; to the Committee on War Claims.

By Mr. BROWN: A bill (H. R. 22096) granting an increase of pension to William T. McBee; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 22097) granting an increase of pension to Phebe Y. Polk; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 22098) granting an increase of pension to George Pfluger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22099) granting an increase of pension to Robert L. Oliver; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 22100) granting a pension to Guy I. Church; to the Committee on Pensions.

Also, a bill (H. R. 22101) granting an increase of pension to Lewis B. Clark; to the Committee on Invalid Pensions.

By Mr. DANIEL A. DRISCOLL: A bill (H. R. 22102) for the relief of Charles J. Allen, United States Army, retired; to the Committee on War Claims.

By Mr. DWIGHT: A bill (H. R. 22103) granting a pension to Jacob Stocking; to the Committee on Pensions.

Also, a bill (H. R. 22104) granting an increase of pension to George W. Lindley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22105) granting an increase of pension to Philander T. Crocker; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 22106) granting an increase of pension to George W. Oldham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22107) granting an increase of pension to William Kautz; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 22108) for the relief of George Q. Allen; to the Committee on Claims.

By Mr. GUDGER: A bill (H. R. 22109) granting a pension to Joseph M. Jones; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 22110) granting an increase of pension to Samuel T. McMains; to the Committee on Invalid Pensions.

By Mr. HEALD: A bill (H. R. 22111) for the relief of the Delaware Transportation Co., owner of the American steamer *Dorothy*; to the Committee on Claims.

By Mr. HULL: A bill (H. R. 22112) granting an increase of pension to James Finn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22113) to remove the charge of desertion standing against John Downs; to the Committee on Military Affairs.

By Mr. LAFFERTY: A bill (H. R. 22114) granting a pension to Margaret E. Perkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22115) granting an increase of pension to Cyrus C. Boon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22116) granting an increase of pension to William H. Estep; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22117) authorizing the Secretary of the Treasury to convey certain land to the city of Portland, Ore.; to the Committee on Public Buildings and Grounds.

By Mr. LITTLEPAGE: A bill (H. R. 22118) granting an increase of pension to William Sigman, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22119) for the relief of the heirs of Nancy Montgomery; to the Committee on War Claims.

Also, a bill (H. R. 22120) for the relief of Nannie C. Williams, administratrix of the estate of William E. Keeney, deceased; to the Committee on War Claims.

By Mr. MONDELL: A bill (H. R. 22121) granting a pension to Elizabeth Terry; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 22122) granting a pension to Jacobena Schneider McGath; to the Committee on Invalid Pensions.

By Mr. PROUTY: A bill (H. R. 22123) granting an increase of pension to Ira Waldo; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 22124) for the relief of Thomas R. Mason; to the Committee on Claims.

By Mr. SELLS: A bill (H. R. 22125) granting a pension to George Carroll; to the Committee on Pensions.

Also, a bill (H. R. 22126) granting a pension to W. M. Balch; to the Committee on Pensions.

Also, a bill (H. R. 22127) granting an increase of pension to Isaac N. Nave; to the Committee on Invalid Pensions.

By Mr. SHARP: A bill (H. R. 22128) granting an increase of pension to Samuel A. Williams; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 22129) granting a pension to George W. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 22130) granting a pension to William M. Findley; to the Committee on Pensions.

By Mr. SULLOWAY: A bill (H. R. 22131) granting a pension to Joseph Stephens; to the Committee on Pensions.

By Mr. TALBOTT of Maryland: A bill (H. R. 22132) granting an increase of pension to Henry Lafferty; to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 22133) granting an increase of pension to Napoleon B. Greathouse; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 22134) granting a pension to Flora L. Carey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22135) granting a pension to Daniel Updike; to the Committee on Invalid Pensions.

By Mr. WICKLIFFE: A bill (H. R. 22136) for the relief of the heirs of Daniel Turnbull, deceased; to the Committee on War Claims.

By Mr. WILSON of Illinois: A bill (H. R. 22137) granting an increase of pension to Abram S. Esmay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22138) granting an increase of pension to Henry M. McCarty; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petitions of labor organizations in the island of Porto Rico, for establishment of a department of labor and agriculture in that island; to the Committee on Insular Affairs.

Also, memorial of the Russian River Chamber of Commerce, for improvement of the Yosemite National Park; to the Committee on the Public Lands.

By Mr. AINEY: Petitions of Granges Nos. 174 and 1157, Patrons of Husbandry, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. AKIN of New York: Memorial of Naval Camp, No. 49, United States War Veterans, Brooklyn, N. Y., in favor of House bill 17470; to the Committee on Pensions.

By Mr. ANDERSON of Minnesota: Petition of Ole O. Lee and 17 others, of Newhouse, Minn., against extension of parcel post; to the Committee on the Post Office and Post Roads.

By Mr. ANDRUS: Petitions of citizens of White Plains, Port Chester, Yonkers, Mount Vernon, and New Rochelle, N. Y., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens and taxpayers of Harrison, N. Y., favoring the extension of free mail delivery in towns outside of incorporated cities and villages; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of White Plains, Port Chester, Yonkers, Mount Vernon, and New Rochelle, N. Y., favoring legislation giving the Interstate Commerce Commission power to regulate express rates; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHBROOK: Memorial of Nineveh Grange, No. 1500, of Beidler, Ohio, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of Frank A. Balton and other citizens of Newark, Ohio, protesting against the passage of interstate-commerce liquor legislation; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petition of the Builders' Exchange League of Pittsburgh, Pa., for reduction in the postage on first-class mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of the First Lutheran Church of Duquesne, Pa., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the German-American Alliance of Pottsville, Pa., against prohibition or interstate liquor legislation; to the Committee on the Judiciary.

By Mr. BOEHNE: Petition of John Kuhn and other citizens of Princeton, Ind., for the construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. BOWMAN: Petition of David E. Derr, of Parsons, Pa., for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

Also, petition of Grange No. 308, Patrons of Husbandry, for amending the laws governing the traffic in oleomargarine; to the Committee on Agriculture.

Also, petition of Grange No. 819, Patrons of Husbandry, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Wisconsin: Petition of St. Joseph's Society of Newburg, Wis., protesting against a resolution of inquiry concerning Government institutions in which American citizens wearing the religious habit are employed; to the Committee on Indian Affairs.

By Mr. CALDER: Petitions of residents of Brooklyn and New York, N. Y., for amending the copyright act of 1909; to the Committee on Patents.

Also, memorial of New York State Assembly, for improvement of the inlet of Lake Champlain; to the Committee on Rivers and Harbors.

Also, petition of J. Crory, of New York City, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. CALLAWAY: Petition of First Congregational Church of Fort Worth, Tex., for passage of the Kenyon-Sheppard interstate liquor bill to withdraw from interstate-commerce protection liquors shipped into "dry" territory for illegal use; to the Committee on the Judiciary.

By Mr. CARTER: Petitions of citizens of the State of Oklahoma, for passage of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

By Mr. CRAGO: Petitions of citizens of Rockwood, Pa., and Sycamore Grange, Patrons of Husbandry, for enactment of parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of Brownsville Business Men's Association and members of the council of South Brownsville, Pa., for enactment of House bill 16819; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry granges, Patrons of Husbandry, in Pennsylvania, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRIER: Petition of the Christian Endeavor Union of Concord, N. H., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. DANFORTH: Petition of Carl L. Howland, F. P. Higbie, and other residents of Chile, N. Y., favoring the passage of House bill 16214; to the Committee on the Judiciary.

By Mr. DAVIS of West Virginia: Petition of sundry citizens of Marshall County, W. Va., against a reduction in the rate of postage on second-class mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Marshall County, W. Va., praying for the establishment of an illiteracy test for all foreigners coming into the United States; to the Committee on Immigration and Naturalization.

Also, petition of sundry citizens of Marshall County, W. Va., with reference to the Berger resolution providing for an investigation of the violation of the United States immigration law by the mill owners at Lawrence, Mass.; to the Committee on Rules.

By Mr. DOREMUS: Petitions of the Methodist Episcopal and Brewster Congregational Churches, of Detroit, Mich., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petitions of citizens of the State of Michigan, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. DRAPER: Petition of Albert W. Wills and various other citizens of the State of New York, favoring building of one battleship in Government navy yard, New York; to the Committee on Naval Affairs.

By Mr. DANIEL A. DRISCOLL: Petitions of residents of Buffalo, N. Y., for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

Also, memorial of the New York State Senate, requesting that one battleship be constructed at the Brooklyn Navy Yard; to the Committee on Naval Affairs.

By Mr. DWIGHT: Petition of the Presbyterian Church and Woman's Christian Temperance Union of Ludlowville, N. Y., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. DYER: Papers to accompany House bill 18254; to the Committee on Invalid Pensions.

Also, petition of Council No. 4, United Garment Workers of America, for enactment of House bill 20423; to the Committee on the Judiciary.

Also, petition of the Civic League of St. Louis, Mo., for establishment of a national department of health; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLERBE: Petitions of the Woman's Christian Temperance Union and Woman's Missionary Union of Scranton, S. C., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. FOSTER of Illinois: Petition of citizens of Bridgeport, Ill., protesting against the enactment of a parcel post; to the Committee on the Post Office and Post Roads.

By Mr. FRENCH: Petitions of citizens of the State of Idaho, for passage of House bill 14, providing for a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the State of Idaho, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the State of Idaho, for enactment of Senate bill 5286, for protection of game and birds in the national forests; to the Committee on the Public Lands.

By Mr. FULLER: Petitions of H. L. Bowen, Thomas Cole, Homer Hall, Stanley Carpenter, Mrs. Laura Bowen, and Walter Lincoln, all of R. F. D. No. 1, Belvidere, Ill., favoring the establishment of a parcel-post service; to the Committee on the Post Office and Post Roads.

Also, petitions of M. M. Martin, of Caledonia, Ill.; also S. C. Dick, of Sycamore, Ill., in favor of the establishment of a parcel-post service; to the Committee on the Post Office and Post Roads.

Also, petitions of Refior Hardware Co., of Ottawa, Ill., and also of Illinois Lumber and Builders Supply Dealers' Association, of Chicago, Ill., against the establishment of a parcel post until after report of an impartial commission, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of H. G. Cormick, of Centralia, Ill., favoring 1-cent letter postage and opposing the establishment of a parcel post, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of B. C. Strout and other citizens of Gardner, Ill., opposing the proposed extension of the parcel-post service, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of the Chicago Live Stock Exchange, of Chicago, Ill., favoring a reduction in the duty on oleomargarine, etc.; to the Committee on Agriculture.

Also, petition of F. L. Fraser, of Mendota, Ill., favoring the passage of the Townsend bill (H. R. 20595), to amend section 25 of the copyright law of 1909; to the Committee on Patents.

Also, petition of Owen Kelly et al., of Ottawa, Ill., favoring the construction of one battleship in the New York Navy Yard, etc.; to the Committee on Naval Affairs.

Also, petition of National German-American Alliance, of Ottawa, Ill., against the passage of any pending prohibition or interstate commerce liquor measures; to the Committee on the Judiciary.

Also, petition of Brewster & Evans Co., of Chicago, Ill., favoring the proposed Federal commission on industrial relations, etc.; to the Committee on Labor.

Also, petition of the Association of Drainage and Levee Districts of Illinois, objecting to the increased flow in Illinois River from water from Lake Michigan, etc.; to the Committee on Rivers and Harbors.

By Mr. HAMILL: Memorial of board of directors, Philadelphia Bourse, for retirement of employees in the civil service; to the Committee on Reform in the Civil Service.

By Mr. HAMMOND: Petition of L. P. Halgerson and 87 others, of Ruthlon, Minn., protesting against passage of the Lever oleomargarine bill; to the Committee on Agriculture.

Also, petitions of H. A. Patterson and 24 others, of Mankato, Minn., for reduction in the duties on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HANNA: Petition of L. H. Hielmeland, of Palermo, N. Dak., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, petition of citizens of Binford, N. Dak., for old-age pensions; to the Committee on Pensions.

Also, petition of Christian Endeavor Society of Barrie, N. Dak., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of Barton, N. Dak., for enactment of House bill 14, providing for a parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. HARTMAN: Petitions of Granges Nos. 698, 1116, and 1168, Patrons of Husbandry, for enactment of House bill 9133, providing for a Government system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: Petitions of citizens of North Bend, Oreg., and Oregon Anti-Saloon League, Portland, Oreg., favoring the passage of the Kenyon-Sheppard bill; to the Committee on the Judiciary.

By Mr. HENRY of Texas: Petition of citizens of the State of Texas, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. HENSLEY: Petition of F. R. Dean, of De Soto, Mo., for passage of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

By Mr. HIGGINS: Petition of residents of the State of Connecticut, against repeal of the anticanteen law; to the Committee on Military Affairs.

Also, petitions of the German-American Alliances of Bridgeport, Conn., Scranton, Pa., and the State of Texas, protesting against legislation restricting the interstate shipment of liquors; to the Committee on the Judiciary.

By Mr. HOWELL: Petition of William T. Wootton, manager Alice Theater, Heber, Utah; Young Bros., managers of Zenith Theater, Fairview, Utah; Bert Martin, of Salt Lake City; and Charles H. Bodell, manager Casino Theater, Salt Lake City,

Utah, favoring certain amendments to the copyright act of 1909; to the Committee on Patents.

Also, petition of the Davis Shoe Co. and other business firms of Salt Lake City, Utah, protesting against enactment of House bill 10844; to the Committee on Interstate and Foreign Commerce.

By Mr. HUGHES of New Jersey: Petitions of citizens of Ridgewood, N. J., for enactment of House bill 20842; to the Committee on Ways and Means.

By Mr. LAFFERTY: Petitions of citizens of Portland, Talent, and Wamic, Oreg., for enactment of House bill 14, providing for a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of James Maguire and others, of Portland, Oreg., proposing the insertion of a provision in the naval appropriation bill to build one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of citizens of Youcalla, Oreg., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LANGHAM: Memorial of Tidal Grange, No. 872, Patrons of Husbandry, Madison Township; Pleasant Hill Grange, No. 656, Knox Township, Jefferson County; Patrons' Grange, No. 609, Pine Creek Township, Jefferson County; Paradise Grange, No. 854, Winslow Township, Jefferson County; Kiskiminetas Grange, No. 519; and Kiskiminetas Township, Armstrong County, all in the State of Pennsylvania, favoring the passage of House bill 19133, which provides for system of postal express, and opposing as inadequate proposed limit of 11 pounds to packages; to the Committee on the Post Office and Post Roads.

Also, memorial of Kiskiminetas Grange, No. 519, Armstrong County, Pa., proposing and asking changes in the oleomargarine laws; to the Committee on Agriculture.

By Mr. LAWRENCE: Petitions of the Woman's Christian Temperance Union, church, and citizens of Shelburne Falls, Mass., favoring the passage of the Kenyon-Sheppard interstate commerce liquor bill; to the Committee on the Judiciary.

Also, petition of druggists of Greenfield, Mass., against parcel post; to the Committee on the Post Office and Post Roads.

By Mr. LENROOT: Petition of residents of Knapp, Wis., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. LINDSAY: Memorial of Brooklyn League, 44 Court Street, Brooklyn, N. Y., asking that one battleship be constructed at Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, memorial of St. Sebastianus Sick-Benefit Society, 276 Jefferson Street, Brooklyn, N. Y., and of Bushwick Council, No. 99, Catholic Benevolent Legion, 69 Hamburg Avenue, Brooklyn, N. Y., concerning resolutions regarding Catholic Indian mission interests; to the Committee on Indian Affairs.

By Mr. LLOYD: Petitions of Oakdale Grange and of citizens of Macon County, Mo., in favor of parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of St. Paul, Minn., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MCKINLEY: Memorial of the Rock Island County (Ill.) Retail Druggists' Association, protesting against a parcel post; to the Committee on the Post Office and Post Roads.

By Mr. MARTIN of South Dakota: Petition of citizens of Brookings and Moody Counties, S. Dak., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. NEEDHAM: Petitions of citizens of the State of California, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, memorial of the California Civic League, for adequate appropriation to enforce the white-slave traffic act; to the Committee on Appropriations.

By Mr. O'SHAUNESSY: Memorial of the American Protective Tariff League, that fair adjustment of tariff duties is an impossibility when dealing with one schedule at a time, for the reason that each and every schedule is more or less correlated with some other schedule or schedules; to the Committee on Ways and Means.

Also, memorial of the National League for Medical Freedom, urging the President to nullify his order making it a criminal offense for anyone to practice medicine, etc., unless licensed by the board of health of the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Carpenters' District Council, of Pawtucket, R. I., amending the law on oleomargarine that a tax not exceeding 2 cents per pound be placed upon the product; that the license fee of \$6 per year be placed upon the retailer for the privilege of vending oleomargarine, etc.; to the Committee on Agriculture.

Also, memorial of Carpenters' District Council of Pawtucket, that Congress amend the law on oleomargarine; that a tax be placed upon the product, whether colored or uncolored; that a license of \$6 be placed upon the retailer for the privilege of vending oleomargarine; and that the product be packed in one-half, 1, 2, and 3 pound packages only and the product be sold only in the original tax-paid packages; to the Committee on Agriculture.

Also, petition of the New York Society of Certified Public Accountants, protesting against the employment by the United States of chartered accountants to the exclusion of certified public accountants; to the Committee on Expenditures in the Navy Department.

Also, memorial of the Seattle Chamber of Commerce, eliminating all tolls through the Panama Canal or commerce going between cities of the Atlantic and Pacific Oceans; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the National Founders' Association of New York, that the time has arrived when the country should awaken to the real situation, discountenance public expressions and legislative action designed to discourage legitimate enterprise and commercial and industrial development; to the Committee on Ways and Means.

By Mr. POWERS: Petitions of citizens of the eleventh congressional district of Kentucky, in favor of parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. PRAY: Petition of residents of Circle and Delphia, Mont., in favor of the enactment of House bill 14; to the Committee on the Post Office and Post Roads.

Also, petition of residents of Anaconda, Mont., urging the insertion of clause in the naval appropriation bill providing for the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of residents of Box Elder, Froid, Dane Valley, Homestead, Enterprise, McCabe, Orville, and Culbertson, Mont., in favor of the three-year homestead law; to the Committee on the Public Lands.

By Mr. RAKER: Memorial of the Oakland (Cal.) Civic Center, for appropriation for enforcement of the white slave traffic act; to the Committee on Appropriations.

By Mr. SCULLY: Memorial of the New Jersey Society, Sons of the American Revolution, for printing of the records of the American Revolution; to the Committee on Appropriations.

Also, petition of Camp No. 19, Department of New Jersey, United Spanish War Veterans, for passage of House bill 17470; to the Committee on Pensions.

Also, petition of Charles W. Ritter, of Red Bank, N. J., for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

Also, petition of the Woman's Christian Temperance Union and Methodist Episcopal Church of Bradley Beach, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. SHARP: Petition of citizens of Lorain County, Ohio, favoring passage of House bill 20281, providing for repeal of the present so-called butterine law; to the Committee on Agriculture.

Also, memorial of Washington Grange, No. 1748, Mount Gilead, Ohio, favoring passage of House joint resolution 229, providing for the establishment of a vocational school as an appropriate memorial to Abraham Lincoln; to the Committee on the Library.

Also, memorial of Washington Grange, No. 1748, Morrow County, Ohio, favoring Federal aid for road improvement; to the Committee on Agriculture.

Also, memorial of farmers' institute, held at Bellville, Ohio, favoring parcel post and Federal aid in road improvement; to the Committee on Agriculture.

Also, memorial of Wayne Grange (fourteenth Ohio district), in favor of the immediate enactment of a parcel-post law; to the Committee on the Post Office and Post Roads.

Also, memorial of the Commercial Club, Council Bluffs, Iowa, favoring the appropriation of \$50,000 with which to entertain foreign commercial representatives; to the Committee on Foreign Affairs.

Also, memorial of Highland Grange, No. 1410, of Richland County, Ohio, favoring the establishment of a parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of Charles Dick Camp, No. 17, United Spanish War Veterans, in favor of House bill 12816, providing for pensions for widows and minor children of soldiers and sailors and marines of the Spanish-American War; to the Committee on Pensions.

By Mr. SIMMONS: Petition of citizens of Niagara Falls, N. Y., favoring construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. SIMS: Petition of sundry citizens of Madison County, Tenn., in favor of interstate-commerce liquor legislation; to the Committee on the Judiciary.

By Mr. SAMUEL W. SMITH: Memorial of Mason Grange, No. 265, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of Farmington and Pontiac, Mich., against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of members of the Medical Society of Pontiac, Mich., for enactment of the Owen bill; to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN: Petition of residents of Fort Myers, Fla., for enactment of House bill 14, providing for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. STEPHENS of Nebraska: Petition of F. L. Nelson and others, against the passage of the Johnson Sunday bill (S. 237); to the Committee on the District of Columbia.

By Mr. STEVENS of Minnesota: Petition of citizens of St. Paul, Minn., for rejection of arbitration treaties with Great Britain and France; to the Committee on Foreign Affairs.

Also, memorial of Post No. 2, Grand Army of the Republic, Department of Minnesota, in opposition to incorporating the Grand Army of the Republic; to the Committee on the District of Columbia.

By Mr. THISTLEWOOD: Memorial of Association of Drainage and Levee Districts of Illinois, Beardstown, Ill., in reference to pollution of Illinois River; to the Committee on Rivers and Harbors.

Also, petitions of sundry citizens of the State of Illinois, favoring the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of Cutter Creamery & Cheese Co., against the Lever bill; to the Committee on Agriculture.

Also, petition of Farmers' Educational and Cooperative Union of America, Local Union No. 192, Ulin, Ill., in reference to Senate bill 3175 and Webb-Callaway bill; to the Committee on Agriculture.

Also, memorial of Beardstown Chamber of Commerce, Beardstown, Ill., in reference to pollution of Illinois River; to the Committee on Rivers and Harbors.

By Mr. TILSON: Petition of Lodge No. 25, Independent Order B'nai B'rith of New Haven, Conn., urging enactment of House bill 9242; to the Committee on Reform in the Civil Service.

By Mr. TUTTLE: Memorial of the New Jersey Society of Newark, N. J., favoring Senate bill 271 and House bill 19641; to the Committee on Naval Affairs.

Also, petition of Elizabeth B. Ritter, Auditorium Theater, Rahway, N. J., asking for amendment of the copyright act of 1909; to the Committee on Patents.

Also, petition of George B. Eades, Bijou Theater, Boonton, N. J., favoring the amendment of the copyright act of 1909; to the Committee on Patents.

By Mr. UNDERHILL: Petition of O. O. Laine, of Canisteo, N. Y., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. UTTER: Petition of John W. Miller, jr., of Narragansett Pier, R. I., Martin H. Loohey, of East Greenwich, R. I., and A. A. Ashley, of Westerly, R. I., favoring passage of the Townsend bill (H. R. 20595) to amend section 25 of the copyright act of 1909; to the Committee on Patents.

Also, petition of Old Warwick Grange, Warwick, R. I., favoring a parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of Antioch Grange, Patrons of Husbandry, of Johnston, R. I., favoring the passage of a parcel post and opposing any bill to allow coloring any product to resemble butter; to the Committee on the Post Office and Post Roads.

Also, petition of Sidney F. Hoar Camp, No. 4, United Spanish War Veterans, of Providence, R. I., favoring House bill 1235, providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps and for the efficiency of the enlisted personnel; to the Committee on Naval Affairs.

Also, petition of New England Shoe & Leather Association, of Boston, Mass., protesting against the passage of House bill 16884 for placing upon the market any product of manufacture without printing the name and address of the manufacturer upon such article; to the Committee on Interstate and Foreign Commerce.

Also, petition of Sidney F. Hoar Camp, No. 4, United Spanish War Veterans, of Providence, R. I., urging passage of House bill 17470, to pension widow and minor children of any officer or enlisted man who served in the War with Spain or Philippine insurrection; to the Committee on Pensions.

Also, petition of Towsynowie Polskilitary, Gr. Z., No. 204, Zatozore W. Pazoz, of Providence, R. I., protesting against passage of the bill to further regulate the immigration of aliens; to the Committee on Immigration and Naturalization.

By Mr. WILLIS: Petitions of Milford Center Grange, and J. W. Watkins and 67 other citizens of Radnor, Ohio, for extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petitions of J. D. Price and 5 other citizens, of Arlington; R. T. Cretcher and 5 other citizens, of Quincy; and J. A. Ewing and 12 other citizens, of McComb, all in the State of Ohio, protesting against the enactment of any legislation for the extension of the parcel-post service; to the Committee on the Post Office and Post Roads.

Also, petitions of L. E. Snyder and 5 other citizens, of Arlington; J. A. Groves and 12 other citizens, of McComb; and J. B. Wirick and 5 other citizens, of Quincy, all in the State of Ohio, asking for the enactment of legislation to give the Interstate Commerce Commission more extensive power in the regulation of express rates and express classification; to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill 13914, a bill authorizing the erection of a post-office building at Urbana, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. WILSON of New York: Memorial of the Brooklyn League, for construction of one battleship in the Brooklyn Navy Yard; to the Committee on Naval Affairs.

By Mr. YOUNG of Texas: Petition of P. E. Barton and others, of Gregg County, Tex., against parcel-post legislation; to the Committee on the Post Office and Post Roads.

## SENATE.

WEDNESDAY, March 20, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

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

### FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes:

Sadie F. Curtis and Annie E. C. Partin, heirs at law of Henry W. Neville, deceased, and sundry subnumbered cases, *v.* United States (S. Doc. No. 446); and

Joseph Borton and sundry subnumbered cases *v.* United States (S. Doc. No. 447).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

### STREET CAR LINES IN THE DISTRICT (S. DOC. NO. 441).

The VICE PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 1st ultimo, certain information relative to the necessity of establishing additional street car lines in the District of Columbia, etc., which, with the accompanying papers and map, was referred to the Committee on the District of Columbia and ordered to be printed.

### THE CLASSIFIED CIVIL SERVICE (S. DOC. NO. 442).

The VICE PRESIDENT laid before the Senate a communication from the Civil Service Commission, transmitting, in response to a resolution of the 15th ultimo, certain information relative to the number of persons in the classified civil service who were admitted upon examination, which, with the accompanying paper, was referred to the Committee on Civil Service and Retrenchment and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 21214. An act to extend the special excise tax now levied, with respect to doing business by corporations to persons, and to provide revenue for the Government by levying a special excise tax with respect to doing business by individuals and copartnerships; and

H. R. 21477. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

### PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of sundry citizens of Lake Arthur, N. Mex., remonstrating against the

enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented resolutions adopted by members of the Maritime Exchange, of New York City, expressing its approval of the action of Congress relative to the raising of the wreck of the battleship *Maine*, which were referred to the Committee on Naval Affairs.

He also presented a memorial of members of the National Columbus Association, of Mahanoy City, Pa., remonstrating against the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Haynesville, La., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the First Presbyterian Church of Ensley, Ala., and the Baptist Church of Greenville, Pa.; of the Woman's Christian Temperance Unions of Natick, Mass., Nooksack, Wash., and Arlington, Cal.; and of the Northwest Jewell County District Convention, representing five Sunday schools in the State of Kansas, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a memorial of the New Hampshire Retail Grocery and General Merchants' Association, remonstrating against the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Manchester, Lee, Lakeport, Temple, Bedford, Wolfeboro, and West Campton, all in the State of New Hampshire, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Michigan presented petitions of sundry citizens of Genesee County, Detroit, Gregory, Whitehall, Montague, Elsie, Watervliet, Comstock Park, Albion, Hope, Lacota, Mundy, Ballards, Algonac, Allegan, Petoskey, Bangor, Oakland County, Kent City, New Haven, Jones, Lansing, Mason, Buckley, Dryden, Fenton, Wayland, Wheeler, Bay City, Oceana County, Newaygo County, Woodland, Grayling, Birmingham, Sturgis, Centerville, Coleman, and Ithaca, all in the State of Michigan, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Kalkaska, Mancelona, Pellston, Brutus, Harbor Springs, Petoskey, Mackinaw, Alma, Ithaca, Shepherd, Winn, Harriette, Tustin, Dighton, Elberta, Beulah, Hartwick, Fife Lake, Reed City, Le Roy, Lake City, and Arlene, all in the State of Michigan, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Paw Paw, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Irving, Rothbury, Whitehall, and Montague, all in the State of Michigan, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Paw Paw, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in post offices, which was referred to the Committee on Post Offices and Post Roads.

Mr. THORNTON presented a memorial of sundry citizens of St. Maurice, La., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented memorials of sundry citizens of Paw Paw, Monroe, Onsted, Decatur, Ann Arbor, Adrian, Almont, Harvard, Lapeer, Battle Creek, Ypsilanti, Holton, Three Rivers, Hudson, Prattville, Clio, Scottville, Bronson, Midland, Reading, Cassopolis, Richmond, Fowlerville, Minden City, Gaylord, Metamora, Wolverine, Howell, Marcellus, Ludington, Kalamazoo, Bay Shore, White Hall, Melvin, Benzonia, Sunfield, Jasper, Union, Mason, Morley, Watervliet, Cass City, Albion, Mayville, Lenox, Clinton, Gregory, Sturgis, North Adams, Twin Lake, Cressey, Beulah, Grand Haven, Hillsdale, Montgomery, Hadley, Hamburg, Northport, Hudson, Holly, Nowell, Scotts, Azalia, Bristol, Big Rapids, Portland, Homer, Jackson, Leonidas, Men-