

as to the rate of wages that prevail in most of the iron and steel industries of the country, and whether he has or not, Mr. President, I maintain that the very testimony itself shows that he was speaking with reference to wages generally here as compared with wages generally abroad.

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. I do.

Mr. SMOOT. The Senator evidently can not finish to-night. It is now half past 5 o'clock, and I move that the Senate adjourn.

Mr. SIMMONS. Before that motion is put—

The VICE PRESIDENT. Does the Senator from Utah withhold his motion for a moment?

Mr. SMOOT. Certainly.

Mr. SIMMONS. I think the Senator from Iowa [Mr. CUMMINS] is concerned about that. He has given notice that he will speak to-morrow. I would be very glad to finish to-morrow, because I have not been well the last few days and I am a little weary just now, but if it should interfere with the Senator from Iowa to-morrow, I would not feel like trespassing upon his time.

Mr. CUMMINS. I may say that while I gave notice that I would address the Senate to-morrow upon my amendment, I know that it would be for the convenience of the Senator from Missouri [Mr. STONE] to follow the Senator from North Carolina, and I would just as soon, a little rather, indeed, speak a day later than to-morrow. So I will follow the Senator from Missouri, whenever that may be.

Mr. STONE. Mr. President, the Senator from Iowa spoke to me on the floor aside to the same effect he has just stated. I want to go away in a day or two and therefore it would be a convenience to me if I could address the Senate to-morrow instead of a later date. We meet at 12 o'clock to-morrow.

Mr. SIMMONS. That is what the Senator from Iowa suggested, that the Senator from Missouri should follow me and he would speak later.

Mr. STONE. I say I accept the courtesy of the Senator from Iowa.

Mr. CUMMINS. I am very glad to do it. It is quite probable that I will consume some time in submitting the subject to the Senate, and I would be very glad to yield to the Senator from Missouri in order to accommodate him.

WIRELESS TELEGRAPHY ON OCEAN STEAMERS.

Mr. HITCHCOCK. If the Senator from Utah will withhold his motion for a moment, I should like to get unanimous consent for the consideration of Senate bill 3815, which has been favorably reported by the Committee on Commerce, requiring certain vessels to carry two wireless-telegraph operators instead of one.

Mr. SMOOT. I will withhold the motion for that purpose.

Mr. HITCHCOCK. I ask unanimous consent for the present consideration of the bill (S. 3815) to amend an act entitled "An act to require apparatus and operators for radiocommunication on certain ocean steamers," approved June 24, 1910.

Mr. SMOOT. I should like to ask the Senator if that is a unanimous report from the committee?

Mr. HITCHCOCK. It is.

The VICE PRESIDENT. The Secretary will read the bill for the information of the Senate.

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

That the act entitled "An act to require apparatus and operators for radiocommunication on certain ocean steamers," approved June 24, 1910, be amended by the addition of the following words to section 1: "Provided also, That on and after the 1st day of July, 1912, it shall be unlawful for any ocean-going steamer of the United States or of any foreign country, carrying 100 or more persons, whether passengers or crew, or both, to leave or attempt to leave any port of the United States unless such steamer shall be equipped with an efficient apparatus for radiocommunication in good working order, in charge of two or more persons skilled in the use of such apparatus, one of whom shall be on duty at all hours of the day and night, which apparatus shall be capable of transmitting and receiving messages over a distance of at least 100 miles, night or day."

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

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

The amendment was agreed to.

Mr. GORE. I should like to ask the Senator from Nebraska if where the bill says "one of whom shall be on duty at all hours" it would not be better to say "one or the other of whom"? I do not know that it is material.

Mr. HITCHCOCK. I think the phraseology has been pretty carefully gone over by the committee. It changed the phraseology I used, and I am willing to accept the language as re-

ported. I think it is reasonably accurate and will produce the result aimed at.

Mr. GORE. Very well.

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.

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 38 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, May 1, 1912, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 30, 1912.

The House met at 12 o'clock noon, and was called to order by the Speaker, who took the chair amid general applause.

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

Our Father in heaven, we thank Thee for the ideals enunciated by the Master, for the spirit of altruism exemplified in His holy life. Help us to understand and assimilate His precepts, to emulate His virtues, that Thy kingdom may come and Thy will be done in our hearts; to the glory and honor of Thy holy name. Amen.

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

PRIMARIES IN COLORADO.

Mr. MARTIN of Colorado. Mr. Speaker, I would like to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Colorado. Having in mind that houn'-dog performance in Colorado yesterday—and I submit that it was some speed, considering the broken character of the landscape out there—I wish to inquire whether the Speaker takes official cognizance of the prevalence of dog days at this early season of the year?

The SPEAKER. That is not a parliamentary inquiry. [Laughter.]

POST OFFICE APPROPRIATION BILL.

Mr. MOON of Tennessee. Mr. Speaker, for the purpose of further consideration of the Post Office appropriation bill, I move 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. 21279) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, with Mr. HAY in the chair.

The CHAIRMAN. The Chair wishes to state that on yesterday afternoon the gentleman from New York [Mr. FITZGERALD] was on the floor, and at the expiration of his time asked unanimous consent to continue. The gentleman from Tennessee [Mr. MOON] then moved to close debate, and the Chair recognized the gentleman from Tennessee when he should have put the question for unanimous consent asked by the gentleman from New York [Mr. FITZGERALD]. The Chair desires to correct that mistake. The question is on the amendment offered by the gentleman from Georgia [Mr. RODDENBERRY].

Mr. MANN. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Amend the amendment by inserting, after the words "for highways of class C," the following: "Provided, That for roads used for the purpose of transporting rural mails meeting all the conditions and requirements of class C, except that they have a road track not less than 16 feet wide, compensation shall be made at the rate of \$25 per annum per mile, and said roads shall be known and designated as class D."

Mr. RODDENBERRY. Mr. Chairman and gentlemen of the committee, I merely desire briefly to state the cause for moving this amendment.

You observe that the road track in the three classes provided for in the proposed impending bill is to be 9 feet wide—class A, road track 9 feet wide; class B, road track 9 feet wide; class C, road track 9 feet wide. The amendment submitted creates class D and provides that any road possessing all the requirements of class B but having a road track not less than 16 feet wide shall be compensated for at the rate of \$25 per annum per mile. The object of this bill, as stated, is to compensate State civil jurisdictions for use on the part of the Government of the highways for the transportation of rural mail. The next pur-

pose and object of the bill is to encourage the construction and maintenance of good highways. Improvement of country roads brings the farmer closer to his market, church, and school. Good roads will save the farmer millions of dollars in the wear and tear of his wagons and other vehicles. We pay the railroads over \$50,000,000 for their use in transporting mail. Why not pay the States and counties at least a reasonable compensation for use of country roads for improving life in the country? It will result in extending the rural mail service. It will be a godsend to the rural carriers who have to travel poor roads and ford dangerous streams. Build good roads and we will help keep the boys on the farm and do but partial justice to the people who produce the food and raiment for the world. Encourage the improvement and happiness of country life by passing this bill.

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

The CHAIRMAN. Does the gentleman yield?

Mr. RODDENBERY. Yes.

Mr. MANN. As I understand, the gentleman's amendment provides in substance that a gravel road 16 feet wide shall receive the same compensation as a macadam road 9 feet wide?

Mr. RODDENBERY. It does.

Mr. MANN. That is the substance?

Mr. RODDENBERY. It is; and if this were anything more than an experiment and an initiation of a system, perhaps the observation of the gentleman might have a material bearing. It may have in the minds of gentlemen, notwithstanding, but as the bill now is, if it is complied with, a 9-foot roadway does not give a first-class road of any kind, macadam or otherwise, because it is too narrow; yet it is the beginning of an aid to public roads, and I do not think it is subject to serious criticism.

When we inaugurate the system, why not make one provision in the bill offering inducement to construction of wide roadbeds, so that in the construction of all classes of roads the State authorities may understand that wide road tracks will be looked upon with favor, so that in the construction of class B or in the construction of class C or class A the authorities will have in mind the advantage of beginning construction of a 16-foot roadbed? This amendment, in my judgment, will greatly stimulate the construction of wider and better roads.

I am in accord with this bill just as it is now, and it will receive the approval of the country, a few city districts to the contrary notwithstanding. But when we initiate it, why not put in a wise provision that recognizes what we must ultimately recognize—that the 9-foot road track does not establish and adopt a good road such as the country views and will regard as a first-class road?

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Colorado?

Mr. RODDENBERY. I yield.

Mr. TAYLOR of Colorado. I want to ask the gentleman if he does not know that in the mountainous portion of the United States, where the roads follow the streams and follow along down through the canyons, very often our roads are built the same as half tunnels—they are built into a shelf—and they are the best roads possible in the world, and yet they are only 9 feet wide? There is no necessity of their being over 9 feet wide. We have what are called "turn-outs." I ask the gentleman if he does not desire to recognize the western half of the United States?

Mr. RODDENBERY. The gentleman is speaking now from the standpoint of his State and of certain territory, and the gentleman from that point of view is evidently correct. But the pending bill is fixing a general good-roads policy for all the States.

Mr. TAYLOR of Colorado. Why not limit it?

Mr. RODDENBERY. I am not limiting it, because necessarily this is a broad national scheme of road betterment, and there is no way to make it provide equally and alike for each particular State or locality.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RODDENBERY. May I have two or three minutes' extension of time, Mr. Chairman?

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. RODDENBERY. Mr. Chairman, my amendment does not in any way interfere with the present classification. But it does recognize that in that territory where 16-foot road tracks are permissible and practicable it is desirable to con-

struct that kind of roads. The road authorities will therefore widen the roads so that vehicles can pass and repass in greater safety.

I trust that the simple provision of this amendment will receive the favorable consideration of the House. Whatever the House may do with this amendment, I shall heartily support the composite bill which the gentlemen have presented. I should be glad if the joint authors of the pending bill could accept this amendment, adding class D, so that when we inaugurate this system we may offer inducement for the best of country roads. If we are ultimately to have good roads we are bound finally to adopt such a provision, and I trust the House will do so now. [Applause.]

Mr. JACKSON. Mr. Chairman, I desire briefly to oppose this amendment.

I realize that the gentleman from Georgia [Mr. RODDENBERY] is in sympathy with this movement, but I fear his enthusiasm has carried him so far that if this amendment should be adopted the entire bill would be in danger. The tendency of modern road building is toward narrow, well-drained roadbeds, and it would be a step backward to encourage the construction of wide roads to be cut into ruts by careless drivers.

Mr. Chairman, I think the gentleman from Texas [Mr. DIES] hit the nail on the head yesterday when he said that this whole question is one of taxation. We all know that when the Constitution was adopted the States gave up to the Federal Government nearly all of their powers of indirect taxation. I think, as I have said before on the floor of this House, that a great deal of buncombe and nonsense is indulged in in the criticism of indirect taxation. You may go into the legislature of every State of the Union and find there the members declaiming against the burdens and inequalities of the direct property tax. These taxes are not paid by the rich but by the small property owner, who does not have the opportunities of the rich man to escape his just share of taxation. The States are now overburdened with direct property taxes. Something should be done to help them. Complaint is made that indirect taxes are paid when people do not know it. The farmers would be glad to pay the taxes on their farms without knowing it. I do not agree with the gentleman from Texas that the Democrats in the House are barred from supporting this measure, but I do mean that the Federal taxes are so much more easily paid that there is a demand all over this country that the Federal Government pay some of the expenses of what has come to be a great Federal service. The Democratic Party, as was said yesterday, has grown to be known as a party in favor of a tariff for revenue only, and I may say that under the definition of the distinguished leader from Alabama [Mr. UNDERWOOD] of a tariff for revenue.

It has come to mean a tariff which equals the difference in the cost of production at home and abroad, and therefore embraces all of that degree of protection which is demanded by the Republican platform, all that was ever demanded by Alexander Hamilton, Henry Clay, Abraham Lincoln, not to say William McKinley; so there is no reason why we should not all be in favor of this measure. The taxing powers of the Federal Government are broad. They have not been nearly exhausted. The amount demanded for this purpose is small. It can not reach \$8,000,000 and will probably never exceed \$15,000,000. It is a broad, constructive measure, which will improve the highways of the entire Nation.

I shall not favor it because it favors any particular class of our people, as has been suggested here, but for the reason that it means the encouragement of industry, the closer intercourse of the farm with the cities, and the general development of all our resources and the happiness of all our people. The gentleman from New York [Mr. FITZGERALD] states that the city of New York pays 70 per cent of the taxes of the State of New York. Why does it do that, gentlemen? Not alone because New York has been built up by the wonderful industry of the agricultural people of New York, but because in New York are held the bonds and the stocks of the wonderful transportation systems of the country. And how were they built? They were built because the people of the West taxed themselves to vote subsidies to the railroads at from \$6,000 to \$40,000 a mile, and now you have all that wealth in New York City that pays the tax. Gentlemen are economical now, but will they be so careful when it comes to appropriating money for harbor defenses and improvement and the building of battleships? It is notorious that the eastern coast of the country have for years had their people fed by Federal appropriations.

It has been mentioned here that the Chicago post office pays \$8,000,000 more each year than the expense of administering the post office there.

Mr. MADDEN. More than \$14,000,000 more.

Mr. JACKSON. All right. Take it that way. Now, why does it pay it? If I understand the proposition correctly, the revenues of a post office are computed where the stamps are bought and canceled. To whom are the people of Chicago writing? Are they spending this \$14,000,000 surplus in exchanging billets doux across the Chicago River?

Mr. MANN. Very largely.

Mr. JACKSON. Oh, no. They are spending that money in paying postage to maintain and build up the splendid commerce of the West, of which Chicago happens to be the queen city. How long would that \$14,000,000 surplus last if you wiped out the Chicago stockyards, which are maintained from the great farms and ranches of the West? Who pays the postage for Sears, Roebuck & Co., Montgomery Ward & Co., and the Marshall Field Co.? The people out on the farms and in the country towns who use their products. So, gentlemen, I am going to support this measure, not because it favors one class but because if this wonderful prosperity of the farm and country should perish or fail in its proper development, the constituency of the gentlemen from Chicago and from New York would grow hungry.

Mr. MADDEN. Oh, the gentleman ought to be fair. He does not know what fairness is when he votes for a proposition that only represents one-half of the people.

Mr. JACKSON. It is cheaper to support them while they yet labor a little bit than it would be to support them when they devote all of their attention to stock manipulation, and when being otherwise idle they shall occupy all of the time in devising ways to get their arms into the pork barrel of the National Treasury revenues. [Applause.]

Mr. RUBEY. Mr. Chairman, this is an important measure, and as I have occupied very little of the time of this House I ask the courtesy of proceeding for 10 minutes.

The CHAIRMAN. The gentleman from Missouri [Mr. RUBEY] asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. KENDALL. Mr. Chairman, reserving the right to object, I do not know how general the gentleman in charge of this bill proposes to allow the debate to become. The House had 20 hours' discussion on this proposition, and while I have no intention of objecting to the gentleman, who is a member of the Committee on Agriculture, having an extension of time, I am going to object to anybody else having additional time.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. RUBEY. Mr. Chairman, I rejoice to-day that after the lapse of over three-quarters of a century the Congress of the United States is once more seriously considering the question of Government aid in the construction and maintenance of public roads; that to-day we have before this body in concrete form a proposition which will receive its approval, and which, if enacted into law, will give aid to and encourage the construction of good roads in every part of the Republic.

In the early days of this country our fathers were compelled to use the waterways and the highways, such as they had; there were no railroads or other means of transportation. An examination of the messages of the Presidents, the records of Congress, and other public documents shows that in those days much thought and attention was given to the subject of public roads; that all the Presidents of the early period favored Government aid, and that during this time Congress appropriated millions of dollars for the construction of roads, as well as for the improvement of rivers and harbors. With the invention of the steam engine and the construction of railroads Congress gradually ceased its appropriations for highways and turned its attention to aiding the building of this more modern means of transportation. Millions of acres of public lands were given to great corporations to induce them to build railroads. It has been variously estimated that the value of the land thus granted was from two to five billion dollars. It is not my purpose here to discuss the question as to whether that policy was wise or unwise; suffice it to say it was done, and to-day the great iron monster, drawing his burden of human freight and the products of human industry, is traversing every part of the land.

The building of railroads has been of inestimable value to the country. It has brought the producer and the consumer nearer together; it has cheapened transportation; it has brought the people into quick and easy communication; and has, with the aid of other facilities that have come with it, made our country one great commonwealth. To complete the work already begun but one thing is needed, so far as transportation is con-

cerned, and that is a complete system of good roads, connecting the people of the rural communities and giving them quick and easy means of access to their local market places.

Mr. Chairman, it seems unnecessary to discuss the value of good roads in this presence. In France, England, and Germany, where they have complete systems of Government-constructed roads, it costs from 7 cents to 11 cents per ton per mile to transport products to market, while in this country, with our roads, it costs 23 cents per ton per mile.

The Secretary of Agriculture has estimated that the cost of hauling the products from the farm annually is six hundred millions. If our roads were as well improved as those of England, France, or Germany, there would be saved every year to the American farmer from three hundred to four hundred millions of dollars. A very large percentage of the farm products of this country must be hauled over wagon roads, and it is a known fact that it costs more to get products to the railroad than it costs to transport them by the railroads to the point of consumption. It costs more to haul a ton over 9 miles of wagon road than it costs to transport it from New York to Liverpool, a distance of over 3,000 miles. The farmer feeds the world, and whatever will enable him to get his products to market cheaply and quickly will not only help him, but will add to the welfare and happiness of the entire people.

Aside from the financial and material side of this question there are other reasons equally as important to be considered. Good roads tend to develop the moral, the educational, and the social conditions of country life. Give us good roads and we will have more and better churches, better schools, and increased and more regular attendance by the boys and girls. Give us better roads and intellectual and social intercourse among the people will be increased. All of these things will add to our national happiness and prosperity.

Those who oppose this measure argue that it will call for increased taxes, and hence a heavy burden on the people. They are entirely mistaken. It is a question of disbursing the money collected annually and placing it where it will be of the greatest benefit to the people. Already we have spent six hundred millions for rivers and harbors, two hundred millions for public buildings, nearly four hundred millions for the Panama Canal, to say nothing of vast sums spent in maintaining the Army and Navy. We are building roads on our island possessions, in Alaska, and in our national parks and through the national forests. We have spent two millions in Porto Rico, three millions in the Philippines, one and one-half millions in the Canal Zone, two millions in Alaska, and many millions in national forests and national parks.

Let us aid and encourage the States, counties, and communities in the building of roads that will be a benefit to the American farmer. He is the mainstay of the Government; he has paid a very large per cent of the taxes. Let us give him back some of it for those things which will be of immediate benefit to him and, in the end, redound to the good of the entire country.

There is no trouble about the money. All we will have to do will be to curtail just a little our enormous appropriations for the Army and Navy, our rivers and harbors, our public buildings, and other things too numerous to mention.

Much has been said about the cost of this measure, and some of its opponents have declared that it would cost the Government fifty or sixty millions annually. Let us see: The number of miles now traveled by the rural and star route carriers is 1,179,000. The estimated number of miles in their respective classes is as follows: Class A, 35,000; class B, 83,000; and class C, 1,061,000. According to the prescribed rates of payments, the amount annually that this bill will carry, should every mile of road be sufficiently improved to fall into the respective classes, would be \$18,450,000. It must be remembered, however, that a large proportion of the mileage of dirt roads will require much work at the hands of the local authorities before it will come up to the standard required in class C, hence the first required appropriation will probably be much less than this sum. Within a few years it is hoped that all the roads will be so improved as to be entitled to the compensation allowed in this bill.

Mr. Chairman, I want very briefly to reply to the criticism made against this measure a few days ago by the gentleman from New York [Mr. FITZGERALD], when he stated that it was a compromise scheme, hurriedly put together and reported over night by a committee, and had not been given deliberate and careful consideration.

This measure, known as the Shackelford bill, has had possibly as much consideration as any measure before this body. It is the consensus of the opinions of something like 35 or 40 Members of this body who, having introduced bills upon this sub-

ject, got together and agreed unanimously upon the pending proposition. It was then introduced into the House and referred to the Committee on Agriculture.

The authors presented to the committee the following petition:

To the Committee on Agriculture:

The undersigned Members, who have introduced bills on the subject of good roads, desiring to secure, as far as possible, harmony and unity of action among the friends of such legislation, have conferred with a view to agreeing upon a bill. After careful consideration we have prepared and agreed upon the subjoined bill and requested Mr. SHACKLEFORD to introduce it on behalf of us all. We have further requested Mr. SHACKLEFORD to appear before you and respectfully bespeak for the bill early and favorable consideration.

Very respectfully,

Ezekiel S. Candler, Mississippi; J. Thomas Heflin, Alabama; Thos. L. Rubey, Missouri; John J. Whitacre, Ohio; Joseph A. Taggart, Kansas; Joseph Howell, Utah; James F. Byrns, South Carolina; Kenneth D. McKellar, Tennessee; E. W. Saunders, Virginia; William B. Francis, Ohio; Richard W. Austin, Tennessee; Scott Ferris, Oklahoma; D. R. Anthony, Jr., Kansas; George White, Ohio; Walter L. Hensley, Missouri; James M. Cox, Ohio; George A. Neeley, Kansas; J. J. Russell, Missouri; J. H. Goeke, Ohio; H. D. Flood, Virginia; Burton L. French, Idaho; T. T. Ansberry, Ohio; C. C. Anderson, Ohio; P. P. Campbell, Kansas; S. E. Prouty, Iowa; W. C. Adamson, Georgia; Bird S. McGuire, Oklahoma; D. W. Shackelford, Missouri.

The Committee on Agriculture referred the bill to a subcommittee composed of Mr. LEVER of South Carolina, Mr. BEALL of Texas, Mr. SIMMONS of New York, Mr. HANNA of North Dakota, and myself. I had the distinguished honor of being chairman of this committee. We went to work at once.

Extensive hearings were held upon the proposition. The subcommittee practically rewrote the bill, adopting many amendments to it. When they had completed their work they requested the author of the original bill, Mr. SHACKLEFORD, to reintroduce the measure, in order that they might present it in the amended form to the full Committee on Agriculture. I am opposed to the amendment offered here this morning by the gentleman from Georgia [Mr. RODDENBERRY], and in that connection I desire to say that the classification found in this bill was submitted to some of the very best road engineers in this country and has been approved by them as a correct classification and one so carefully worded that its requirements can not be misunderstood. This classification is the result of painstaking investigation. The wording has been carefully made, and I should dislike to have the amendment offered by the gentleman from Georgia adopted and undo everything that has been done by the committee in the classification of these roads.

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

Mr. RUBEY. Certainly.

Mr. RODDENBERRY. The gentleman does not understand that the amendment I offer affects classes A, B, or C, as to the width of them?

Mr. RUBEY. I understand it does not.

Mr. RODDENBERRY. The gentleman understands it simply adds a new class—class D.

Mr. RUBEY. I do; but at the same time it adds a new class, D, and provides that it shall be 16 feet wide; this applies, as I understand it, to roads built of macadam, and it applies also to gravel roads and to dirt roads.

Mr. RODDENBERRY. It applies to class B only.

Mr. RUBEY. Only to class B? Yet it gives to that class the same amount of compensation that it gives to class A, \$25 a mile, which should only be given to the very highest class and best constructed roads.

Mr. Chairman, I desire, in the brief time allotted to me, to discuss just a few other things in connection with this measure. Much has been said upon the floor of this House as to where the money goes that is paid these various roads. Some criticism has been offered by gentlemen upon one side and upon the other saying that there is no provision in the bill that this money shall go toward the building of roads. Let me give you an illustration, and I think this illustration will shed light upon the entire matter. I will refer to my own district, and, in passing, I desire to say that as the roads are now constructed there is possibly not an entire rural route or star route in my district that would come under the provisions of this bill until the people go to work and improve it. Let us take rural route No. 1 going out of my town. We will say that it is 24 miles in length; the citizens will go to work and improve that road until it is entitled to come under class C, and then they will be entitled to \$360 annually from the National Government. The Post Office Department will issue its warrant upon the United States Treasurer for \$360. That warrant will be mailed to the county treasurer of my county. The county treasurer will place it to the credit of the fund of rural route No. 1, out of

Lebanon, Mo. It will then be under the care and custody of the county court, and will be paid out by the county court and used for constructing, repairing, and improving the road upon that route, whether that work has been done or whether it is to be done in the future. Every man who lives upon that rural route will be a guardian of that fund, and he will see to it that every dollar of the \$360 is paid out for work actually done upon that route. There is no question whatever but that every cent of that \$360 will go to the maintenance and improvement of the route for the use of which the Government's warrant has been issued.

The opponents of this measure say that there is no demand for it, that the people of this country have not asked the Federal Government to pay rent. I want to say in this connection that the people of this country for years and years have been advocating that the Government of the United States should begin to take part in the road building of the country. I remember well a number of years ago there assembled in St. Louis the National Good Roads Convention. Men came there from all parts of the country, and in that convention they indorsed the proposition of Government aid to public roads. In every convention since that time down to the present the same thing has been done. Go with me wherever you will, into any convention in any State or county or district where men are assembled for the purpose of discussing the road proposition, and you will find them advocating Government aid in the construction and maintenance of the public highway. Let me say further, that had this pending bill been introduced into this House a few months earlier, had it been sent out to the people in all parts of the country, and had they thus obtained knowledge of the provisions of the bill, there is no doubt in my mind but that the Members of this House would now be receiving letters and petitions in great numbers asking them to support it. Those who are opposing this measure use many arguments, and yet when we simmer them down we find that they who oppose it are doing so because they do not believe in Government aid to roads in any form whatever. I am glad that no political lines are drawn in the consideration of this great proposition. Some upon the other side of the aisle have opposed it and a few upon this side, but the great majority of the Members of this body on both sides of the House are in favor of this proposition. I see my good friend from Texas, Mr. BEALL, is opposed to this proposition. I hold him in great esteem, as much so as any Member of this body.

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

Mr. RUBEY. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RUBEY. I just want to complete that statement. My friend from Texas [Mr. BEALL] has introduced into this House a bill for the purpose of establishing a bureau of markets in the Department of Agriculture. It is a good bill, and I am for it. Let me say to him this: That the question of markets depends more upon the condition of roads in this country than upon any other one proposition. [Applause.] Let me say to him that if he will help us and the people of this country to build roads, so that every farmer will have a good road going from his home to the market place, it will do more toward settling the question of markets than the establishment of a bureau of markets in the Department of Agriculture, with a branch bureau in every State in the American Union. [Applause.]

The people of my district are already awake to the importance of improved roads. During the last year active road work has been going on in every county, thousands of dollars have been raised by private subscription and used upon the roads. Only a few days ago the people of the road district where I reside submitted a proposition to bond the road district for \$50,000 to build rock roads, and when the vote was taken it carried by a large majority, only 80 votes being cast against it.

When this bill passes—as I believe it will—you will see throughout the length and breadth of this land an era of road building such as you have never seen in all your lives; and before the 1st of June, 1914, you will find more roads have been built than ever before in the history of the country. Instead of paralyzing road building, as one of the gentlemen from Texas has said, it will have the contrary effect. It will enthrall the people, and they will go to work as never before and give freely of their money, their time, and their labor, well knowing that before they can receive a dollar of compensation from this bill their roads must meet the requirements of the law. Under the provisions of this measure it can be truly said the Government will help those who help themselves. [Applause.]

THE ROAD BILL AS PASSED BY THE HOUSE IN THE POST OFFICE BILL.

That for the purposes of this act certain highways of the several States, and the civil subdivisions thereof, are classified as follows:

Class A shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times. That whenever the United States shall use any highway of any State, or civil subdivision thereof, which falls within classes A, B, or C, for the purpose of transporting rural or star route mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C: *Provided*, That in calculating or otherwise ascertaining the distance that mail is transported over any highway, such distance shall be measured or calculated in only one direction, and only one use of or travel over any such highway, or any part thereof, on any one trip by a carrier using the same, shall be considered. That any question arising as to the proper classification of any road used for transporting rural or star route mail shall be determined by the Secretary of Agriculture. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act under and in accordance with rules and regulations prescribed jointly by the Secretary of the Treasury and the Postmaster General: *Provided, however*, That no payment shall be made under the provisions of this paragraph for the use of any privately owned, or toll road. The provisions of this paragraph shall go into effect on the 1st day of July, 1913.

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on the amendment offered by the gentleman from Georgia [Mr. RODDENBERRY] be now closed.

The motion was agreed to.

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

The question was taken, and the amendment was rejected.

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on the pending amendment close in 30 minutes.

The CHAIRMAN. The gentleman from Tennessee moves that all debate on the amendment offered by the gentleman from Missouri—

Mr. MANN. I hope the gentleman will not press that.

The CHAIRMAN (continuing). And all amendments thereto close in 30 minutes.

Mr. MANN. Mr. Chairman—

The CHAIRMAN. The motion is not debatable.

Mr. MANN. I understand. I ask unanimous consent—

Mr. MOON of Tennessee. How much more time does the gentleman want?

Mr. MANN. Personally I do not want any more time. Can not we have some understanding in the committee, without cutting off debate at this time on amendments that are offered, that we will proceed in session this afternoon and this evening and endeavor to complete this bill in the Committee of the Whole to-day without limiting debate at this time too closely?

Mr. MOON of Tennessee. The gentleman from Illinois must be aware of the fact that we have had 20 hours of general debate, most if it on this proposition, and we have had debate since yesterday afternoon. I have no desire to cut off anybody who has an amendment or anybody who wants to be heard, but I do think the time ought to be fixed now when this debate should end.

Mr. MANN. Let me make this suggestion to the gentleman now, and that is, as long as amendments are offered which appear to be bona fide allow the gentleman offering the amendment to have five minutes to explain it, without making an order, and then, if the gentleman from Tennessee desires to be recognized in opposition, we will have a right to dispose of the amendment without undue debate on the amendment.

Mr. MOON of Tennessee. I am not willing to have that for an unlimited length of time.

Mr. MANN. I do not ask that.

Mr. MOON of Tennessee. I do not object to proceeding for 30 or 40 minutes.

Mr. MANN. Let us try it that way; the gentleman can close debate at any time.

Mr. LEVER. Mr. Chairman, may I ask the gentleman from Tennessee a question? The gentleman from Tennessee will recall that some gentlemen on the floor, members of the committee which reported this bill from the Committee on Agriculture, desired to submit some remarks during the consideration of it in general debate, and that the gentleman from Tennessee assured some of those gentlemen he would not unduly limit debate under the five-minute rule.

Mr. FOSTER. Does the gentleman think he has?

Mr. MOON of Tennessee. I reassure the gentleman I will not do that. Gentlemen will have opportunity to be heard, for I am going to withdraw that motion and let debate proceed, and give notice that at the end of 10 or 15 minutes on each amendment I will ask for a vote.

Mr. MANN. At the end of five minutes let the gentleman ask for a vote.

Mr. McLAUGHLIN. Mr. Chairman, I offer the following amendment.

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

The Clerk read as follows:

Amend, page 3, at the end of line 13, Shackelford bill, by inserting the following words: "*Provided*, That in calculating or otherwise ascertaining the distance that mail is transported over any highway such distance shall be measured or calculated in only one direction, and only one use of or travel over any such highway or any part thereof on any one trip by a carrier using the same shall be considered."

Mr. McLAUGHLIN. Mr. Chairman, I offer this amendment so as to prevent duplicating or doubling in making calculations of travel on a rural route. The author of the bill says that, in his opinion, the bill now contains that provision. It may, but in uncertain language, and I wish to make it sure. It is not unusual for a rural route to be so laid out that a carrier travels over a part of it both going and coming, and it ought not to be permitted, ought not be possible, for any official, in calculating the distance the mail is transported or the distance for which money shall be paid, to take into consideration the distance traveled in both directions by a carrier. It seems to me the disposition of this House is to permit a city to receive compensation for the transportation of mail by a rural carrier from the city post office over the city streets. I do not believe in that; I am opposed to it. I offered an amendment yesterday calculated to correct that fault, as I deemed it to be a fault, but I was outvoted. Now, consider the situation. Each carrier in every instance starts from the city post office and travels over perhaps miles of city pavements to the city limits before he begins his rural route. Under the interpretation given by some who have expressed themselves on this bill it would be necessary for the Government to pay that municipality for the use of the streets by each carrier on each trip going in each direction. It seems to me it is all wrong, and this bill ought to be made clear and certain, so that there will be no room for doubt as to its interpretation or as to the duty of the officers in estimating distances and in paying the money.

A peculiar condition has developed concerning this portion of the bill. There seems to be a wide difference of opinion among Members who express themselves in speeches and in conversation as to the meaning and intent of the feature of the bill that I seek to amend. The author of the bill [Mr. SHACKLEFORD] says the bill as he presents it to the House contains the provision I think it ought to contain and is to be interpreted just as it will be if my amendment is adopted. Another gentleman says the bill means just the opposite from what I think it means. He favors the bill as it is, because it will, in his opinion, permit and require the Government to pay for use of or travel over a highway or a portion of it both going out and coming back. It is just such a situation as this that makes my amendment absolutely necessary, because there is evidently an honest difference of opinion, and abundant opportunity for difference of opinion, as to the proper interpretation of the language of the bill as it now stands. Congress is often accused of putting a "joker" into a bill, but the fault, if any there be, usually lies in the fact that language is open to different constructions and Members on each side of a question think they are right and that Members holding the opposite opinion as to the meaning of language are altogether wrong. The fault lies in the fact that men who use language do not always make their meaning clear and are unwilling to accept suggestions in order that proper words may be used to remove all possible doubt.

The author of the bill says that as it is now drawn it will not permit a municipality to receive double pay from the Government for the use of any portion of a public highway if the route of a carrier takes him over such portion of the road twice in one day in making one trip or one delivery of mail. He opposes the amendment because he says his bill means just what I think it ought to be made to mean. Another gentleman,

as I say, opposes my amendment because he thinks the bill as it is now drawn may properly be construed just as I fear it will be construed if my amendment is not adopted. He wishes the bill to contain, and he thinks it does contain, language that will permit and require the Government to make double payment for the use of the highway or a portion of it if a carrier travels the highway twice in one day making one trip and one delivery of his mail. This difference of views expressed by these gentlemen certainly make it clear that an amendment of some kind is necessary. My amendment contains language that can not be misunderstood; it clearly forbids and prevents double payment, as I term it. If my opinion as to what the bill ought to be is approved by the House, then my amendment ought to be adopted. If the House holds the contrary view, if it believes that the Government ought to be permitted and required to make double payment for the use of a highway or a portion of it, then the bill ought to be amended so as clearly to contain this provision and make it clear that the Treasury of the United States should furnish this double payment. Of course, I think my amendment is right and ought to be adopted, but I particularly desire not to fall between the two stools. The House ought to know what the bill means and what the amendment means. It ought to vote intelligently and express itself clearly and express in unquestionable language its will as to the provisions of the law as it will be enacted.

I have not heretofore expressed myself in the House on the merits of the pending amendment to the Post Office bill, which, if adopted, will require the Federal Government to contribute money in aid of common country highways. I wish briefly to place myself clearly in favor of the measure. Some Members of the House, particularly gentlemen from large cities, oppose the bill because it is, in their opinion, either contrary to the Constitution or contrary to the policy they think the Government ought to pursue in the expenditure of public money. In my judgment the measure does not violate the letter or the spirit of the Constitution, which instrument expressly confers power upon Congress to establish post offices and post roads. A highway over which the Government, by its agents, carries mail is a post road, and as such may properly be established, and having been established may properly be maintained by the Government. The right of the Federal Government to expend money in so many different directions and for so many different purposes is upheld or defended under the "general-welfare clause" of the Constitution that I hesitate to invoke this clause in support of an appropriation for the use of highways over which mail is carried, but I think this clause, if it were necessary to resort to it, gives ample authority to Congress to make such appropriation.

One of the first messages, if not the first message, sent to Congress by President Washington called the attention of that body to the advisability and duty of building national roads; and later in his administration he referred again to the matter and urged establishing of post offices and the building of post roads as "instrumentalities in diffusing knowledge of the laws and proceedings of Government which contributes to the security of the people, serves to guard against effects of misrepresentation and misconception." Other Presidents, as well as other eminent statesmen, some of whom took part in the work of framing the Constitution, have expressed themselves in language which can not be misunderstood. Each of them, recognizing the urgent need and inestimable value of well-improved highways, urged Government aid in their construction and maintenance, under the authority contained in the Constitution. One of the most distinguished statesmen of our country, John C. Calhoun, conspicuous for the force and ability with which he advanced and defended the idea of State rights, took an advanced and consistent position in favor of Government aid in the building and maintaining of highways throughout the country; not only such highways as we now propose to construct as memorials to great men who have passed away, or as masterpieces of engineering skill, to be constructed for the sole purpose of being generally admired, and particularly to be used by automobilists touring the country; he advised and defended the use of money from the Federal Treasury for what we now call common country highways. Even a casual reading of history or a meager knowledge of constitutional interpretation by early statesmen who may very properly be credited with as much knowledge of the meaning of that document as statesmen of this late day possess, shows that the use of Federal money for public highways is and always has been considered a proper and worthy use of such money.

Both of the great political parties of the country at their national conventions, in 1908, declared unequivocally for the improvement and maintenance of country roads by the use of

money from the Federal Treasury. The Republican national convention at Chicago declared as follows: "We recognize the social and economic advantages of good country roads, more and more largely at public expense and less and less at the expense of abutting property owners." The declaration of the Democratic convention at Denver is as follows: "We favor Federal aid to State and local authorities in the construction and maintenance of post roads." So it is made clearly to appear by citation of early authority and by declarations of modern political tenets that Government aid is proper and necessary in the construction and maintenance of the highways of the country.

Even if my time were not limited, and even if I had prepared myself with facts and figures to give to the House, I should hesitate to speak at length on this subject in support of this amendment, because the need and value of good highways is so well known as to make extended argument in behalf of the policy of constructing and maintaining them altogether unnecessary. Study of the question of good roads or of the condition of the country where good roads have been denied to the people, impresses us with the stupendous loss the country has sustained on account of the condition of its highways.

A person is apt to look at local conditions only and to estimate the need or the value of an improvement by its effect upon him alone. One who takes this narrow view of the subject of good roads and the loss suffered as a result of failure or refusal of communities to construct and maintain good roads has little, if any, appreciation of the immense loss in the aggregate sustained by the country on account of the failure of proper governmental authorities to establish and maintain proper highways. It is estimated, conservatively I believe, that the loss to this country every year by reason of bad roads equals the national debt. On account of poor country roads it costs a farmer of Michigan more per bushel to deliver his wheat to his usual market than it costs per bushel to deliver wheat from New York to Liverpool. The Secretary of Agriculture places the annual loss to this country on account of poor roads at the sum of \$350,000,000, but many believe that Speaker CLARK is nearer right when he says such annual loss is \$800,000,000.

The value of each piece of farming land in this country is influenced by its distance from market and the facility with which crops can be transported. The value of every bushel or pound of a farmer's product is large or small depending upon the distance to market and the character of highways over which the product must be carried. And good country highways are valuable and helpful to a city as well as to the country around it. The value of every piece of city property is higher if the farming land about the city is good than if it is poor. The business of every merchant in a city is influenced by the condition of the roads leading to and from the farms in the territory tributary to the city.

The reasons for building and maintaining good roads are many and I might, if I had the time, speak of more of them. I simply wish to make my position clear. I believe one of the best ways a Government has of spending its money is in providing good highways and that no expenditure of money brings a better return. I believe there is no respect in which there is greater need of improvement than in the building of country roads. The Federal Government has abundant resources, has a perfect right to spend its money for roads, and local communities need the help this bill if enacted into law will give. There seems to be no reason for withholding the money, so I shall vote for the measure and sincerely hope it will soon be enacted into law.

Mr. LEVER. Mr. Chairman, I do not rise to discuss especially the amendment of the gentleman from Michigan [Mr. McLAUGHLIN], but we are about to act upon a proposition which, to my mind, is of supreme importance to the country, and upon the general proposition I wish to be heard. The amendment to be voted upon makes it the duty of the United States to compensate for the use of highways over which rural mail is carried. As a member of the subcommittee which considered this bill in its original form, and as a member of the committee which reported it favorably to the House, I feel that I may be permitted to discuss its terms somewhat in detail. The bill proposes to classify roads over which rural mail is carried and to pay rent for the use of them as follows:

Class A shall embrace the highest type of roads in the country. Upon such a road the grade shall be no steeper than is reasonably necessary when the topography of the locality is considered; it shall be well drained, with a track not less than 9 feet wide, which shall be composed of shells, vitrified brick, or macadam, and so graded and crowned as that it shall have

continuously a firm, smooth surface. This is the class of road which falls within the macadam type, well known to the road engineers of the country.

Class B is the type of road which we know in our country as the sand-clay road, a type which has proven most satisfactory. This class shall embrace roads with a track not less than 9 feet in width, well drained, and built of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, and maintained in such manner as to have continuously a firm, smooth surface.

The sand-clay type of road, coming into such general use in many of the States, can be built at a reasonable cost to the local community. If my recollection is correct, the sand-clay roads of Richland County in my district, admittedly the highest type of this character of road, have cost on an average not over \$500 per mile. They are a cheap but most substantial kind of road.

Class C includes the ordinary dirt roads of the country, which have been provided with proper side ditches, and have been kept well compacted and with a firm, smooth surface, so as to be reasonably passable for wheeled vehicles at all times. This is the cheapest type of road that can be built; and yet it is the most important to the country of all types, because it is over such roads that the bulk of farm produce is hauled to market, and it is the prime purpose of this bill to encourage the construction of that type of road which most nearly meets the requirements and necessities of the man who lives remote from the town and the railroad and upon whom so heavily falls the burden of transporting his produce to market.

By the terms of this bill the Government using these classes of roads will be compelled to pay for the use of class A a per annum rental of \$25 per mile; for class B, \$20 per mile; for class C, \$15 per mile. It will be observed that the highest rent is paid to the highest type of road, the purpose of this gradation being to encourage the lower type of road to bring itself within the higher class in order to receive the higher rental. The whole theory of this bill is to encourage the States and local communities to build better roads, coupled with the idea that the Government is able to pay for the use of State and local property.

In section 4 of the bill we have provided that the local officers entitled to the custody of the funds of the respective highways shall not be entitled to them except upon the condition that the highways have been made to fall within one or the other of the three classes of roads enumerated in the bill. We have inserted this provision for the purpose of adequately protecting the Government.

Mr. HAMLIN. Will the gentleman permit an interruption right there?

Mr. LEVER. Yes.

Mr. HAMLIN. I am very much in favor of this bill, but I would like to understand it a little better. To whom is this rental to be paid?

Mr. LEVER. The rental is to be paid, as provided in the bill, to the local officers in the various States who have control over the road funds. In my State it would be paid to the county supervisor. I believe in the gentleman's State—Missouri—it would be paid to the township commissioner or the county treasurer. But in any case, it goes to the local official who has charge of the highways.

Now, Mr. Chairman, this bill is simple and direct in its terms, it says on its face what it seeks to do, it is strong in the fact that it is candid in the expression of its intentions, and yet it is a most comprehensive and far-reaching proposition, whose ultimate benefit must be apparent to everyone.

The bill represents the combined judgment of a number of Representatives who have introduced bills on the subject of roads, and the almost unanimous opinion of the Committee on Agriculture, which considered them. The charge has been made in the course of the debate by the gentleman from New York [Mr. FITZGERALD], I think, that this bill was considered hastily. There is no warrant in fact for such statement. I desire to say to him that the history of the bill is this:

A number of gentlemen—Representatives in Congress—appeared before the Committee on Agriculture and earnestly urged that committee to give consideration to this proposition. The committee decided to refer the whole matter to a subcommittee, consisting of Messrs. RUBEY, LEVER, BEALL, Democrats, and SIMMONS and HANNA, Republicans. The subcommittee from day to day gave earnest and careful consideration to every feature of the bill and a comparison of the original Shackleford bill referred to the subcommittee; and the bill reported to the full committee will demonstrate that the original bill was materially amended. The report of the subcommittee, with the

amendments suggested by it, was approved by the full committee substantially as reported and is the bill under consideration at this time. The question for the committee to decide was, as it is for the House now to decide: Shall the Government embark upon the policy of paying the States and the local communities a reasonable rental for the use of their property? The committee had little difficulty in answering this question in the affirmative, for the committee was moved by a sense of justice and fair treatment to the States and local communities. This is the main point involved in this bill.

Mr. HILL. What do you say in regard to the amendment? Is there anything in that that could be duplicated?

Mr. LEVER. I will say to my friend from Connecticut that I could not hear the reading of the amendment.

Mr. HILL. The proposition is that it would prevent the use by two or three carriers of the same road and measuring up the mileage on each of them.

Mr. LEVER. I do not think there is anything in that proposition, for the reason that the compensation is so much per mile for mileage used, and I do not think there could be any duplication.

Mr. HILL. The gentleman is a member of the committee, is he not?

Mr. LEVER. Yes.

Mr. HILL. He seems to have no doubt—

Mr. LEVER. I have no doubt in my own mind as to the suggestion of the gentleman from Michigan [Mr. McLAUGHLIN].

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. LEVER] has expired.

Mr. HAMLIN. Mr. Chairman, I ask unanimous consent that the gentleman have 10 minutes more. He is a member of the committee.

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

Mr. LEVER. Mr. Chairman, I do not desire to impose upon the patience of the committee, but I do wish to answer an objection raised by some gentlemen. It is the vital matter of the authority of the Federal Government over local roads.

This question can not be raised, for we have completely provided against it in the fact that we have refused emphatically in the terms of the bill to permit the Federal Government to say how this rental shall be used by the States and communities. That proposition was seriously before the committee, and the committee deliberately took the position that the Federal Government had no right to dictate the uses to which the States should apply the funds provided in the bill. The committee felt there was no more right to allow this to be done than it is for the Federal Government to compel the railroad companies, which it compensates for carrying the mails, to use such compensation in the maintenance and upkeep of their road beds and equipments. We are paying a quid pro quo, and it is none of the Government's business as to how the "quid" shall be used by those who receive it; it is enough to admit the justness of the proposition that the Federal Government should not be allowed to continue to use the property of the States without paying a just compensation for such use.

Mr. WILLIS. Mr. Chairman—

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Ohio [Mr. WILLIS]?

Mr. LEVER. Yes.

Mr. WILLIS. The purpose of the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN] is to prevent the double payment for the use of the same strip of road—that is, where the carrier would double back on the same road. Now, does the gentleman pretend there is anything in this bill as it now stands that will prevent such double payment? If so, where is it?

Mr. LEVER. I will say to the gentleman from Ohio that I did not at first catch the exact reading of the amendment, but I do not believe there is a possibility of a duplication of pay for the use of these rural roads.

Mr. WILLIS. Will the gentleman submit to a request to have the Clerk report the amendment of the gentleman from Michigan again? I do not believe that the members of the committee generally heard it.

Mr. LEVER. I will say to my friend the bill provides so much rental for the number of miles used; and I take it the Postmaster General, in drawing his warrants, would draw them with a view to prevent the duplication the gentleman has in mind.

Mr. WILLIS. Then I understand the gentleman to be opposed to such double payment as might be permitted if the Postmaster General did not so rule.

Mr. LEVER. I will say that I do not want a duplication of pay any more than does my friend. But I think the bill, if

the gentleman will read it carefully, provides against that very contingency.

Mr. WILLIS. I have read it carefully. Will the gentleman point out the language? We want to find it.

Mr. LEVER. I will read:

For the purpose of transporting rural mails, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for class B, \$15 per annum per mile for highways of class C.

I think—in fact, I am sure—under that language the duplication which my friend from Michigan [Mr. McLAUGHLIN] fears would be prevented. Keep in mind the word “highways” and give the language proper construction.

Mr. WILLIS. Will the gentleman yield further? This amendment simply makes that perfectly clear. Why will not the gentleman accept the amendment offered by the gentleman from Michigan? It makes it clear that there can be no duplication of pay.

Mr. LEVER. I think it is entirely clear now, and this bill has been so thoroughly considered that I am a little afraid of any amendment that might be put upon it unless I could study it very closely.

Mr. WILLIS. Will the gentleman permit the Clerk to read the amendment again?

Mr. LEVER. I will say to my friend I would like to proceed here.

Mr. TILSON. Mr. Chairman, may I ask the gentleman one question on this point?

The CHAIRMAN. Does the gentleman yield?

Mr. LEVER. Yes.

Mr. TILSON. I would like to ask the gentleman from South Carolina to explain why it would not be fair to duplicate? If the theory of this bill is for payment for the use of roads, it occurs to me that the carrier will make as many trips coming back as he would make going out, and he would use the road just as hard coming back as he would use it in going out. I would like to know the reason why the road should not be paid for twice if it is used twice?

Mr. LEVER. The gentleman from Connecticut may be right about that and probably is, but that matter must be decided by this committee. I wish to proceed with the main discussion.

Mr. MURDOCK. Mr. Chairman, will the gentleman allow me to interrupt him with a question?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Kansas?

Mr. LEVER. Yes; though I should like to go along and discuss the main proposition.

Mr. MURDOCK. There are three possible duplications of measurement with respect to these roads, and I ask the question for the purpose of getting an explanation from the gentleman. The first would be a duplication by the rural service itself; the second would be a duplication by the star-route and rural services; and the third duplication would be a double measurement of the roads by including intersections twice. Now, taking the last proposition, does the gentleman think that the language employed in this section prohibits the double measurement of intersections of roads?

Mr. LEVER. I will say to the gentleman that I think, as I said to the gentleman from Ohio [Mr. WILLIS] a moment ago—

Mr. SHACKLEFORD. Mr. Chairman, will the gentleman allow one short interruption?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Missouri?

Mr. LEVER. Yes.

Mr. SHACKLEFORD. I call the attention of the gentleman from Kansas [Mr. MURDOCK] to the fact that the compensation here is not for the distance traveled, but so much for each mile of road that is used.

Mr. MURDOCK. Then the intersections will not be measured twice?

Mr. SHACKLEFORD. No; they will not.

Mr. LEVER. As I pointed out to the gentleman from Ohio [Mr. WILLIS] a moment ago, I do not think that there is any possibility of duplication here—the language of the bill is clear—the amount of mileage controls.

I was about to say, Mr. Chairman, when I was interrupted, that if the Federal Government must use the roads of the State for transporting its mails upon them in carrying out its duty to the people to deliver to them their mail, then, it seems to me, that there can be no question as to the correctness of the principle which compels the Government to pay for the use of these roads. It must be borne in mind that, under the regulations of the Post Office Department, a reasonably good road, kept bridged, and in a reasonably good condition at all seasons of the year, is made a condition precedent to the establishment of a rural route.

Before the Government will perform its function of delivering mail at the doors of the people it requires these same people to put their roads in a prescribed condition. If the Government makes this requirement, is it not reasonable to suppose that the local communities, when they have brought their roads up to a condition even better than that required as a condition for the establishment of a rural route, should expect some compensation for their work? There are, approximately, 2,200,000 miles of roads of all classes in the United States, and according to the latest available information these roads are costing the States annually over a hundred and forty-two million dollars. Approximately 1,179,000 miles are being used by the Federal Government for transporting its mails. Why should not the Government pay for this use? Why should the States be forced to expend annually this enormous sum and permit the Government to use the roads without being entitled to some compensation? The gentleman from New York [Mr. FITZGERALD] and the gentleman from Illinois [Mr. MADDEN] have held up their hands in holy horror at the idea of the Government paying the States and local communities for its use of their property. I do not recall hearing these gentlemen protest against the payment of \$50,000,000 annually to the railroads for transportation of mails; I heard nothing from them as to the payment of \$725,000 to electric and cable cars for this service; and if they said anything about the payment of \$3,322,000 for the transportation of foreign mail it has escaped my memory; nor have I heard them say anything with respect to the payment of \$4,400,000 for rent for first, second, and third class post offices; nor have they complained loudly enough for anyone to hear them about the payment of \$5,000,000 as rent for railway post-office car service; and certainly neither of these gentlemen has raised his voice against the appropriation of \$968,000 for pneumatic-tube service, most of which, of course, is expended in the cities of Chicago and New York, from which these two gentlemen come.

I ask in all seriousness how gentlemen can distinguish in the principle which makes it necessary for the Government to pay for the use of property of individuals and corporations and the principle of paying the States and local communities for the use of their property? The distinction is to my mind unreasonable and can not be supported by any process of reasoning or rule of logical deduction.

Mr. MONDELL. Mr. Chairman, will the gentleman yield there for a moment?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Wyoming?

Mr. LEVER. I would like to get along, but I will yield to the gentleman.

Mr. MONDELL. Just at this point. The gentleman has given the measure a good deal of consideration, and the question I want to ask is this: Does the gentleman understand the bill to apply to star routes as well as to rural routes?

Mr. LEVER. Undoubtedly it does, or at least that is the intention of those of us who drew and considered the bill.

Mr. MONDELL. Does the gentleman think it does apply?

Mr. LEVER. Undoubtedly. The Fourth Assistant Postmaster General was before the subcommittee, and upon that very point he informed us that rural mail as defined by the Post Office Department includes both star and rural routes.

Now, the gentleman from Missouri [Mr. LLOYD], in conversation with me the other day, rather feared that this was not the case. But I will say positively that we had the absolute assurance of the Fourth Assistant Postmaster General on the subject.

Mr. MONDELL. Then, would there be any objection to an amendment that would make that point clear?

Mr. LEVER. There would not be, so far as I am concerned.

Mr. MONDELL. I understand the gentleman from South Dakota [Mr. MARTIN] proposes to offer such an amendment, and I hope it will be adopted.

Mr. LEVER. I will say to the gentleman that it will be entirely agreeable to me.

Mr. LLOYD. The term “rural mail” as used in the statute is determined only by Executive order, and the determination as to what rural mail will be under this bill will be made by the Secretary of Agriculture. The Postmaster General will have nothing to do with determining what rural mail is. Up to the present time there have been two classifications, and only two—the star route mail and the rural delivery mail.

Mr. LEVER. Of course, if there is any doubt on that proposition this committee will clear up the doubt by an amendment such as that to be offered by the gentleman from South Dakota and also the gentleman from Missouri [Mr. RUBEY], who has an amendment on that proposition which doubtless will cover this point.

Mr. Chairman, let me hurry—the interruptions have taken most of my time. Who is fighting this bill? Gentlemen

representing city districts; gentlemen who seem to forget that the cities which they represent are, after all, dependent upon the farms. Prosperity for the farm spells prosperity for the cities. Rural happiness means city contentment. The town and country are interdependent; the one can not prosper while the other fails to do so. These city gentlemen who oppose this bill are not representing the wishes of their people. The strongest sentiment in the country for road improvement comes from the far-seeing people of the cities who recognize the close relationship between the town and country. After all, the whole problem of better roads is involved in the larger problem of reduced transportation charges, which, to my mind, is the most important factor in the problem of the cost of living. Secretary Wilson estimates that it costs each person in the United States annually \$3.50 on account of the bad condition of the roads in the country. This is approximately a tax, due to mud, of \$300,000,000 annually, and this is a conservative estimate. The mud tax is even greater than the tariff tax complained of yesterday by the gentleman from Texas [Mr. DIES]. I would remind him that while I agree that all of the people pay the tariff tax, he must agree that all of the people pay the mud tax.

The man in the city is not less immune to this burden than is the farmer, who must get his produce to market and haul his supplies and farm necessities from market to plantation over roads which, in many instances, are a disgrace to civilization. I know, Mr. Chairman, for I was reared on the farm, what the burden of bad roads means to a rural community, both in the way of actual cost in transportation and in inconvenience. Country homes are being emptied because of the inconveniences of country life. Rural communities are being depopulated because the glamor of the city and town is more attractive. The problem is not how to keep the boy on the farm, but it is how to make the farm profitable and attractive to the boy who stays upon it. Those who raise the cry of "back to the farm" do not know, can not appreciate what it means to drag, literally drag, produce from the farm to the market over roads axle deep in mud. The mud burden is a potent factor in our depleting rural population, and if by the adoption of a policy of fairness and equity to the States and local communities we can in a measure reduce this burden, as I am sure the provision of this bill will do, we who have had a part in bringing it to a favorable consideration may congratulate ourselves that we have pursued a policy of wise statesmanship.

This is a big movement, pregnant with great good to all the country, and the opposition to it is not surprising to me. I am somewhat familiar with my country's history, and in my own experience every great step forward in the interest of the people has met and has had to overcome the bitterest and most unrelenting antagonism, but in the end the righteousness of right has triumphed, and as a result we have our agricultural colleges and experiment stations, our pure-food and meat-inspection laws, and our rural mail-delivery service; and if I read the temper of this House correctly, we are going to take the next step which must result in such an era in road building as this country has never seen before.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. I am much obliged to the committee. [Applause.]

Mr. GARRETT. Mr. Chairman, I have not been particularly interested in the details of the amendments that have been proposed to this proposition, nor have I been particularly interested in the details of the proposition itself, because, Mr. Chairman, I am opposed to the use of Federal funds in the construction of highways in any shape, form, or fashion.

I do not know whether that is a popular position or not, but that is the position which I have always taken here and which I have always taken at home. I know, as every gentleman on this floor must know, that every dollar which is put into the construction or paid for rent of roads must come out of the taxpayers of the country, and where that dollar is collected and distributed through the Federal entity it will cost the taxpayers three for one.

I know that it is not commonly esteemed a very popular thing to oppose an appropriation out of the Federal Treasury. This is a result of our indirect system of taxation. Gentlemen are elected to the legislatures of the States. They go to attend the session. They return home, and their constituents meet them with a cold gleam in the eye and say, "Here, how much did you spend?" A Member of Congress, elected by that same constituency, returns to his home and they meet him with the same cold gleam in the eye, but the question is, "How much did you get?" [Laughter.] So far as I am concerned, I repeat again that I am opposed to any proposition in any shape, form, or fashion that takes money out of the Federal Treasury and

puts it into highways. [Applause.] I know that the building of roads is a local question. I know that ninety-nine one-hundredths of the use of the roads is by local people. It is not a Federal question. There is no constitutional objection to it, of course. It is a question of expediency. But let gentlemen stop and consider what they are costing the taxpayers in making an appropriation out of the Federal Treasury. You vote here a dollar to build a road or to pay rent for a road, and for every dollar you vote out of the pockets of your constituents, who could pay it directly, if they desired to do so, through their local agencies, you are spending three dollars that will not go into the Treasury, but will go into the coffers of private individuals.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT. I ask one minute more.

Mr. BARTLETT. I ask that the gentleman have five minutes.

The CHAIRMAN. Is there objection to the request that the time of the gentleman be extended five minutes?

There was no objection.

Mr. BARTLETT. I desire to ask the gentleman a question.

Mr. GARRETT. I yield to the gentleman from Georgia.

Mr. BARTLETT. I agree with the gentleman. I want to ask this question: If the title to the public roads of the various States does not belong to the States, and if it is not proper at least to inquire of the legislatures of those States whether they desire to demand of the Government rent for the use of those roads for carrying the mails over them? We have no such suggestion from anybody here.

Mr. GARRETT. Technically I should say that it is not true that the roads belong to the States in all the States. The roads belong to the people of the localities, the counties in the State, or the municipalities, and are held in trust—

Mr. BARTLETT. The title to the road is in the State, and that has been decided by the Supreme Court of the United States. The title to the road is in the State, and the duty to open work and operate them and keep them in order devolves upon the counties and municipal subdivisions of the State.

Mr. GARRETT. Of course, there may be differences in the holdings of the courts of the different States, but I will say to the gentleman that I think the idea involved here is an erroneous idea.

Mr. BARTLETT. So do I.

Mr. GARRETT. We speak of the Federal Government as using the roads. What is the Federal Government? Certainly it is the creation of the people. What is a rural route for? Is it for the benefit of an entity far away from the people known as the Federal Government? No, no. A rural route is for the benefit of the people who live along that route.

Mr. FRANCIS. And so is any other improvement for the benefit of the people which is paid for out of the Federal Treasury.

Mr. GARRETT. Certainly; but let me say to the gentleman that I have stood upon this creed all my life. I may be wrong about it, but I am not going to turn my back now on such teachings as those for which I have always stood. During all my public career I have stood upon this proposition, that every power which can be as well exercised by the State or by the locality should be exercised by it, and that the arm of the Federal Government should not be extended except where the arm of the State or the locality can not reach. [Applause.]

Mr. SAUNDERS. May I ask the gentleman a question?

Mr. GARRETT. Certainly.

Mr. SAUNDERS. All of us unreservedly accept the proposition which the gentleman has just stated as a constitutional doctrine, but is it proposed here on behalf of this bill to interfere in any wise with the discharge of that local and communal function?

Mr. GARRETT. Oh, I do not think so.

Mr. SAUNDERS. Then the principle announced by the gentleman does not apply here.

Mr. GARRETT. I have already stated that there is no constitutional question involved, in my opinion; but there is involved a question of expediency, and there is involved a question of indirect taxation.

Mr. SLAYDEN. Will the gentleman yield?

Mr. GARRETT. Certainly.

Mr. SLAYDEN. I do not believe the gentleman from Tennessee quite understood all the question of the gentleman from Virginia. I understood the gentleman from Tennessee to say that wherever a thing may be as well done by the State or local government as it can be done by the Federal Government the gentleman's political convictions demands that it shall be done by the local or State government.

Mr. GARRETT. Certainly.

Mr. SLAYDEN. Very well. Is there any question in the mind of anybody that roads can not be constructed by localities,

by counties, and by States just as well as they can be by the Federal Government?

Mr. GARRETT. I do not know whether there is a question in the mind of anybody, but there is no question in my mind.

Mr. SHACKLEFORD. In that connection, may I ask the gentleman a question?

Mr. GARRETT. Certainly.

Mr. SHACKLEFORD. Could not the various municipalities all over the United States build and maintain their post offices as well as the Federal Government could?

Mr. GARRETT. Undoubtedly.

Mr. SLAYDEN. The post office is essentially a Federal function though.

Mr. SHACKLEFORD. On the gentleman's reasoning, should not the localities build their own post offices, because they can do it as well as the Federal Government can?

Mr. GARRETT. I should not object to it.

Mr. SHACKLEFORD. Is the gentleman in favor of it?

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. STEPHENS of Mississippi. Mr. Chairman, the gentleman who has just taken his seat States that there is no question but that this amendment is constitutional. That being granted, I take no stock in the arguments made by him against the amendment on the ground of expediency. He bases his argument against the amendment on the fact that it will place burdens upon the taxpayers of the Nation. I realize that that is true, but those very taxpayers are the ones who are demanding almost unanimously that a bill of this kind be enacted into law. All taxes are burdens, but if the money is spent for the benefit of the people they do not mind paying taxes. What they object to is the expenditure of money for purposes that do not benefit them.

I stand here, Mr. Chairman, representing a constituency that is favorable to legislation of this character. It is the duty of a Congressman to faithfully represent the sentiment of this constituency. I shall always stand ready to vote for any measure that they want, if I believe that it is right and does not violate the Constitution. There is no question but that a very large per cent of the people of this Nation favor this legislation. They want it. It is agreed that it is constitutional. Why not let him have it?

We hear no such argument as that made by the gentleman when the rivers and harbors bill is before us, or the public buildings bill or many other appropriation bills are to be voted on. But when it comes to a time that the people who travel the country roads demand legislation then we hear objections coming from different quarters, some for one reason and some for another. The gentleman from New York [Mr. FITZGERALD] stated that this was a new and curious principle, something new under the sun, a new departure. Surely he has not read the legislation of the country upon the subject of roads. We find that many States in this Union have received appropriations from time to time in the early history of this country for the very purpose of building good roads. It seems to me that this is a policy advocated by the Democratic Party. It was stated in our last national platform that we favor the construction and maintenance of post roads. On yesterday I voted for what is called the Sims amendment. I am willing not only to vote for the Shackelford amendment, but to go further, and that this Government not only pay for the use of roads, but also for the construction of roads.

Mr. Chairman, while the proposed amendment does not go as far as I would like to have it go, I shall give it my support, hoping and believing that if this step is taken that ere long we will go further in this most important matter.

The amendment reads as follows:

That for the purposes of this act certain highways of the several States and the civil subdivisions thereof are classified as follows:

Class A shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide, composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide, of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide, composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, with ample side ditches so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface, by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times. That whenever the United States shall use any highway of any State or civil subdivision thereof

which falls within classes A, B, or C for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act.

The provisions of this paragraph shall go into effect on the 1st day of July, 1913.

This amendment has met with opposition, but this opposition comes mainly from those who represent city districts, and the reason given for it is that the matter of building roads is a State function, and that therefore the Federal Government should have nothing to do with matters of this kind.

It is charged that this is a piece of paternalism; if so, it is no more of a crime to paternalize the highways of the country than it is its rivers and harbors, its vast areas of unirrigated desert, and many other lines of internal development. Fabulous millions have been spent upon the rivers and harbors of our country. The railroad corporations have applied to the Government, and over 200,000,000 acres of our public domains have been bestowed upon these corporations to aid them in their construction of these mighty lines of transportation. Vast sums of money have been spent in the erection of towering monuments and splendid public buildings all over the country. Congress has responded to these demands, and no question of paternalism has been raised.

There is no argument that can be made for those things that does not apply with greater force in the question of the construction of public highways.

It is not proposed by this bill that the Federal Government shall engage in the building of roads. The bill does not go that far, but it simply provides for the payment of an annual rental for the use of public roads.

If it provided for the building of public highways I should vote for it, because I believe that it is right and that it is constitutional.

The Constitution says that Congress shall have the power to establish post offices and post roads. Under this authority post-office buildings have been erected at a cost of millions of dollars. Yet it is argued that we have no right under the Constitution to extend Federal aid in the construction of roads. The word "establish," when referring to post-office buildings, is held to mean that such houses can be erected, but when post offices are to be established it is contended that it means that the Government shall designate over what road the mail shall be carried, and that the Government has no right to build roads.

I submit that, as the right to establish post offices and post roads is given in the same sentence, that as the language makes no distinction between the right in regard to offices and roads, this shows clearly that it is not intended by the framers of the Constitution that "establish" should be given one construction when referring to post offices and a different and more restricted construction when referring to post roads.

That Congress has the right to extend aid in the matter of constructing and maintaining public highways is shown by decisions of the Supreme Court of the United States, from which I quote:

Without authority in Congress to establish and maintain such highways and bridges, it would be without authority to regulate one of the most important adjuncts of commerce. This power in former times was exerted to a very limited extent, the Cumberland or National Road being the most notable instance. Its extension was but little called for, as commerce was then mostly conducted by water, and many of our statesmen entertained doubts as to the existence of the power to establish ways of communication by land. But since, in consequence of the expansion of the country, the multiplication of its products, and the invention of railroads and locomotion by steam, land transportation has so vastly increased, a sounder consideration of the subject has prevailed and led to the conclusion that Congress has plenary power over the whole subject. (*California v. Pacific Railroad Co.*, 127 U. S., 1, le, 39.)

Also:

Congress has likewise the power, exercised early in this century by successive acts in the Cumberland or National Road, from the Potomac across the Alleghenies to the Ohio, to authorize the construction of a public highway connecting several States. (*Lucton v. North River Bridge Co.*, 153 U. S., 525-529; *Indiana v. U. S.*, 148 U. S., 148.)

That the Federal Government has the right to extend aid in the construction of roads was recognized by Jefferson when he said:

During peace we may checker our whole country with canals, roads, and so forth. This is the object to which all of our endeavors should be directed.

Again, he said:

The fondest wish of my heart ever was that the surplus portion of these taxes should be applied in time of peace to the improvement of our country by canals, roads, and useful institutions.

Henry Clay was always an advocate of internal improvements, and was in his day the ablest and most persistent advocate of the building of national roads. He said:

Of all the modes in which a Government can employ its surplus revenue, none is more permanently beneficial than that of internal improvements. Fixed to the soil, it becomes a durable part of the land itself, diffusing comfort and activity and animation on all sides. The first direct effect is on the agricultural community, into whose pockets comes the difference in the expense for transportation between good and bad ways.

Some have argued that this is a subject over which the States have absolute control, and raise the question of State rights. One of the greatest advocates of the State rights doctrine was John C. Calhoun. He saw no encroachment upon the doctrine by Federal aid to roads. While Secretary of War, in a report to the House on the roads and canals, he said:

No object of the kind is more important, and there is none to which State or individual capacity is more inadequate. It must be perfected by the General Government or not be perfected at all, at least for many years.

Again he said:

Let it not be said that internal improvement may be wholly left to the enterprise of the States and of individuals.

It is interesting to note that in the early days of our country's history Congress did appropriate money for the purpose of building roads. In 1806 Congress authorized the construction of a road from Maryland, known as the Cumberland Road, and various appropriations for it were made from time to time, aggregating about \$7,000,000. In 1811, 5 per cent of the sales of public land in Louisiana were given by Congress to that State for the building of roads and levees; in 1816 a like amount of a similar fund was given to Indiana for roads and canals; and in 1817 a like sum was given to my own State, Mississippi, for this purpose; in 1818, 2 per cent of a similar fund was given to Illinois for roads; in 1819, 5 per cent to Alabama; in 1820, 5 per cent to Missouri; and in 1845, 5 per cent to Iowa.

Congress also appropriated money for a road from Georgia to New Orleans, and one from Nashville, Tenn., to Natchez, Miss., as well as many other public highways.

I think it has been thoroughly shown that Congress not only has the power but has frequently exercised the power to contribute to the construction of roads; however, this bill does not authorize the construction of roads, but simply provides for the payment of a fixed rental on all roads used by the Federal Government in carrying the mail, if the road comes up to a certain fixed standard. It is but right that the Government should pay for anything that it uses, and in doing this it will encourage the people in the States to improve their roads.

I realize, Mr. Chairman, that there has been so much written and spoken upon the subject of good roads that there is little, if anything, new to be said. If I needed any excuse for speaking on this occasion it would be that it oftentimes requires a repeated statement of facts to get it firmly fixed in our minds and to arouse us to the necessity for action.

As I have said, a good deal of opposition to this measure comes from Representatives of city districts. It is a mistaken idea that no one but the farmer gets the benefit of good roads. Every citizen of this Republic will derive direct benefit from the improvement of the roads of the country, because the products of the farm must be conveyed over country roads to market, and the consumer must bear a part of the burden that is laid upon the producer because of bad roads. Even the railroads are interested in good wagon roads, because of the fact that in many sections of the country, owing to bad conditions of the roads, the farmer is forced to convey his products to the market at such time as he may be able to find the roads suitable for travel, thereby placing most of the agricultural products for transportation within a limited time. The farmer is also interested for the same reason; that is, that he is forced to sell his products within the same limited time.

We have heard much comment upon the fact that people are leaving the farm and congregating in the towns and cities. One cause of this has been the bad condition of the roads. In my judgment, there is nothing that will tend more to the upbuilding of the country, making farm life more attractive, than the improvement of the roads. There is no phase of life, either social or economic, which is not affected by good roads. The value of lands, the attendance of children at school, the social relations of the community are all affected by roads. Good roads make social intercourse and communication between farm and town less difficult, thus destroying the isolation of farm life, especially in the winter season. They increase the productive area by making lands that have not been cultivated more accessible. They increase values of property, reduce the cost of transportation, cause greater interest to be taken in farming, thereby increasing the general prosperity of the country.

On the question of the cost of transportation I submit the following table, prepared by one who has given the subject much

study. If a horse could pull on a level 1,000 pounds, on a rise of—

1 foot in—	Pounds.
100 feet the horse draws.....	900
50 feet the horse draws.....	810
44 feet the horse draws.....	750
40 feet the horse draws.....	720
30 feet the horse draws.....	640
25 feet the horse draws.....	540
20 feet the horse draws.....	500
10 feet the horse draws.....	400
	250

This gives an idea of the importance of grades in road building.

Improved roads are breeders of traffic. It is generally found that new industries, new and greater production, spring up upon the line of well-built roads, which increase commerce and enlarge business.

On the other hand, bad roads keep a community from developing and cause material loss in many ways. There are no statistics which show the loss to the farmer due merely to the greater cost of transportation over bad roads, but the loss must be enormous; in fact, it is estimated that it amounts to many millions of dollars each year. As I have said, every citizen is directly interested in improving the roads of the country; that the farmer is not the only one benefited, but if he were I should vote to improve the roads of the country, because he is the first and most important producer of wealth and he has a right to insist that a portion of the money that he pays to the Government shall be returned to him by way of benefits from the Government.

I care nothing for the suggestion made that a few great highways be built from one end of the country to the other, because I believe that that will be very largely for the benefit of those who desire to take pleasure trips in automobiles, and that those who are entitled to the benefits of good roads, or a very few of them at least, would receive no benefit whatever. Rather do I prefer to expend money in order to bring the farmer in closer touch with the towns and the town man in closer touch with the farmer to the mutual benefit of each.

Charles Sumner once said, "The road and the schoolmaster are the two most important agents in advancing civilization." Education, civilization, commerce, social intercourse, prosperity, and happiness are all promoted by good roads. History discloses that no nation has ever achieved permanent greatness without good roads. No community which has good roads would be willing to surrender them if the cost of construction were repaid, because everybody gets a benefit from the road, all enjoy and participate in their advantages and blessings.

Mr. Chairman, I know of no better way to pay a tribute to good roads than to quote from a report of the National Good Roads Association, written nearly 10 years ago:

They economize time, labor, and money; save worry, waste, and force; they aid the social and religious advancement of the people; they increase the value of property and aid every avocation, and especially that of agriculture; they mean the ability at all times to move maximum burdens at a minimum cost; they permit the transportation of marketable products during bad weather, when no work can be done on the farm; they save the wear and tear on horses, drivers, harness, and wagons. Good roads are the avenue of progress; the best proof of intelligence; the ligaments that bind the country together in the bonds of patriotism and thrift; they are the woof of sentiment woven into the great web of our civilization; they are to the body politic what the venous system is to the human body. Without it stagnation and decay follow; with it all forms of growth, strength, and beauty prevail. Good roads are the initial fountains of commerce; the rivulets that swell the great streams that flow out of every country and distribute the products of our fields, factories, forests, and mines. They will do more to extend trade and commerce of the country; will add more to the happiness, intelligence, and prosperity of the people, and will contribute more to their social elevation and moral strength than any other material thing whatever.

Mr. Chairman, believing, as I do, that Congress has the right to appropriate money for this purpose and that it ought to do so, I trust that this House will not be derelict in its duty, but will pass this bill, which will prove beneficial to every citizen, whether he dwell on the farm, in the town, or in the city. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on the amendment of the gentleman from Michigan to the amendment be now closed.

The motion was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. McLAUGHLIN. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

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

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

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

The Clerk read as follows:

Amend by inserting between the words "rural" and "mail" the words "and star route," wherever they occur in the amendment.

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

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

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

The Clerk read as follows:

Amend the Shackleford amendment by striking out the word "twenty-five," in line 23, and all of lines 24 and 25, and insert in lieu thereof the following: "For all highways which shall at the passage of this act be included in any of the foregoing classes, \$5 per annum per mile for highways in class A; \$3 per annum per mile for highways of class B; and \$2 per annum per mile for highways in class C; and for all highways which shall after the passage of this act be so improved as to be brought within either classes A, B, or C, \$40 per annum per mile for highways in class A; \$35 per annum per mile for highways in class B; and \$30 per mile for highways in class C."

Mr. MORGAN. Mr. Chairman, I would like to have the members of the committee fully understand the amendment which I have presented. I believe it possesses some real merit. That we may have this matter fully before us, I wish to present the pending proposition. The gentleman from Missouri [Mr. SHACKLEFORD] offered an amendment to H. R. 21279 which provides for national aid for good roads throughout the various States of the Union.

Mr. SHACKLEFORD's amendment in full is as follows:

That for the purposes of this act certain highways of the several States, and the civil subdivisions thereof, are classified as follows:

Class A shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times. That whenever the United States shall use any highway of any State, or civil subdivision thereof, which falls within classes A, B, or C, for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling with classes A, B, or C. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act.

The provisions of this paragraph shall go into effect on the 1st day of July, 1913.

I am in favor of national aid to encourage the construction of better highways throughout the various States of the Union. I do not believe the proposition presented in the foregoing amendment is the best good-roads provision that could be provided. In my opinion, it should be amended so as to make it more fair and equitable, and especially so that the money paid out of the National Treasury to aid in the cause of good roads throughout the Union will contribute largely to the construction of additional good roads. The proposition as presented to us may, in a manner, reward the people of the States who have been diligent in constructing good roads in the past, but it does not seem to me to offer proper inducement for the construction of additional good roads in the future.

The amendment which I offer is as follows:

For all highways which shall at the passage of this act be included in any of the foregoing classes, \$5 per annum per mile for highways of class A, \$3 per annum per mile for highways of class B, and \$2 per annum per mile for highways of class C, and for all highways which shall, after the passage of this act, be so improved as to be brought within either class A, B, or C, \$40 per annum per mile for highways of class A, \$35 per annum per mile for highways of class B, and \$30 per annum per mile for highways of class C.

In the report of the Office of Public Roads of the United States Department of Agriculture on mileage and cost of public roads in the United States in 1909, issued as House Document No. 582, Sixty-second Congress, there is given the facts relative to the mileage and cost of good roads in the various

States of the Union. This report shows that there is a wide difference in the mileage of improved roads in the various States of the Union. Indiana leads all other States in her mileage of improved roads which would come under classes A and B, as provided in the foregoing amendment. This State is shown by this report to have 24,955 miles of improved roads that would come under classes A and B. Ohio stands next in line with 24,106 miles. New York is next with 12,787 miles. Wisconsin follows New York with 10,167 miles. Kentucky follows next in the amount of her mileage with 10,114 miles. Illinois follows Kentucky with 8,914 miles. California has the next largest mileage with 8,587. There are many States in which the mileage of improved roads that would come under classes A and B is very limited, indeed. Among these may be mentioned the following: Arizona, 273; Colorado, 320; Delaware, 186; Idaho, 510; Kansas, 374; Louisiana, 329; Mississippi, 342; Montana, 95; Nebraska, 248; Nevada, 46; New Mexico, 104; North Dakota, 140; Oklahoma, 361; South Dakota, 286; Wyoming, 416.

No one of these 12 States has as much as 500 miles of improved roads that would come under classes A and B. The report of the Agricultural Department to which I refer does not show the mileage of public highways which would come under class C according to the classification provided in the amendment offered by the gentleman from Missouri [Mr. SHACKLEFORD].

I take it that the primary object, the main purpose, of this proposition is to encourage the improvement of the public highways of this great Nation. I believe that is indeed a great object and a most worthy purpose. The object to be accomplished is indeed so great that I for one am willing to vote national aid to this great purpose. But I think the primary object is to improve roads which are not now improved. The National Government can not build our public highways, but the National Government may well vote aid to encourage the building of highways. In this great cause the National Government should encourage the State, should encourage the county, and encourage the smaller civil subdivisions to improve their public highways. Under this bill we have three classes of public highways, A, B, and C. For rental of these roads we are to pay \$25, \$20, and \$15 per mile annually—an average of \$20 per mile. Under my amendment I reduce the amount to be paid on existing roads to \$5 per mile for class A, \$3 for class B, and \$2 for class C. The average rate will be \$3.33 per mile. The average cost per mile under the Shackleford amendment is \$20 per mile. In other words, if the pending Shackleford amendment would cost \$18,000,000 per annum for roads that now come within classes A, B, and C, under my amendment to the amendment we would spend but \$3,000,000 annually as rent for roads which now come within classes A, B, and C. But I would pay a much higher rate of rental for highways constructed in the future. My amendment provides for the payment of \$40 per mile for roads which shall hereafter be constructed and brought within class A, \$35 per mile for roads brought within class B, and \$30 per mile for roads which shall be brought within class C in the future. Such a law will be an encouragement to the States and various civil subdivisions to build new roads. Mr. Chairman, if we are to take this great advanced step, and the National Government shall appropriate money out of the Federal Treasury to improve highways, we ought to do it along some line and under some system whereby for every dollar we appropriate we will encourage the States to appropriate many additional dollars for good-road purposes.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. Certainly.

Mr. BYRNS of Tennessee. I will ask the gentleman if he does not think his amendment would be an unjust discrimination against those localities which already have spent their money in improving their roads?

Mr. MORGAN. I do not think it would be. On the other hand, I think the present amendment—the Shackleford amendment—is unjust in itself. For instance, the State of Indiana, under the Shackleford amendment, has enough existing highways coming within the three classes, if there were rural routes on all of them, to draw half a million dollars per annum from the National Treasury, while Kansas, Nebraska, Oklahoma, and many other States would draw less than \$10,000 a year. Indiana has as many miles of highways that would come under classes A and B as the combined mileage in 24 other States. Indiana has built her roads, and we honor her people for the enterprise they have displayed. I am a native of the State of Indiana, and I am proud of my birthplace.

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

Mr. MORGAN. Mr. Chairman, I ask for two or three minutes more.

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

Mr. MORGAN. Indiana has constructed her roads under the law as it existed in the past. She has gotten dollar for dollar for every cent she has expended in them, and more, too. Now, what I want to do is to encourage the people of the United States to build additional good roads. I want this appropriation to be a matter of education to the great citizenship in the building of good roads. I want to pursue a policy that will encourage and stimulate the people to build good roads. Under the Shackleford amendment the bulk of the money appropriated from the National Treasury would go to the older States. Under the provision of my amendment every State would have a fair chance. All would be duly rewarded for their industry and enterprise in the future.

I do not know why we should pass a law in the interest of good roads in the United States and base our appropriations upon what the States have done in days gone by. On the other hand, it seems to me but just and fair and equitable to give a reward for what shall be done in the future.

I have heretofore indicated my willingness to vote national aid to good roads. Whether or not my amendment shall be adopted, I shall vote for the best proposition I can get. Good roads are of benefit to all classes of people. Producers and consumers alike are benefited. People in the city and people in the country share equally in the good results of good roads. Nothing will contribute more to the advancement of the farm than improvement in our highways; and nothing will contribute more to the safety and future welfare of the whole country than the upbuilding of the farm and the increase of the advantages on the farm. It is for these reasons that I am willing to vote money out of the National Treasury to improve our roads.

[Mr. BEALL of Texas addressed the committee. See Appendix.]

Mr. MANN. Mr. Chairman, I make a point of order that all debate on the pending amendment has been exhausted.

The CHAIRMAN. The Chair sustains the point of order.

Mr. RAKER. Mr. Chairman, I move to strike out the last word of the proposed amendment.

Mr. MANN. Mr. Chairman, I make the point of order that that is an amendment in the third degree and not in order.

The CHAIRMAN. The Chair sustains the point of order.

*Mr. SAUNDERS. Mr. Chairman, I wish to make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SAUNDERS. It is in respect of the point of order raised by the gentleman from Illinois [Mr. MANN]. The point is that the debate has not been conducted on the amendment of the gentleman from Oklahoma [Mr. MORGAN]. The gentleman from Texas [Mr. BEALL] was not recognized to speak in opposition to that amendment, but to the whole bill. I rise to ask recognition to speak in opposition to the Morgan amendment. There has been no speech in opposition to the amendment of the gentleman from Oklahoma [Mr. MORGAN].

Mr. FOSTER. The gentleman should have made a point of order if he desires to avail himself of that privilege.

Mr. SAUNDERS. The gentleman from Texas was recognized to speak on the whole bill. He did not speak in opposition to the amendment. I wish to do so.

The CHAIRMAN. The Chair is ready to rule. The Chair sustains the point of order of the gentleman from Illinois [Mr. MANN], and the question is—

Mr. SAUNDERS. Now, Mr. Chairman, I ask unanimous consent for one minute to refer to the statements and arguments of the gentleman from Oklahoma [Mr. MORGAN] in support of his amendment.

The CHAIRMAN. The gentleman from Virginia [Mr. SAUNDERS] asks unanimous consent to speak for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. CANDLER. Mr. Chairman, I want to ask unanimous consent as a member of this committee to reply, because the gentleman from Texas, who is also a member of the committee—

Mr. MANN. Do it on the next amendment.

The CHAIRMAN. The gentleman from Virginia [Mr. SAUNDERS] is recognized for one minute.

Mr. SAUNDERS. Mr. Chairman, I wish simply to say this, that the amendment of the gentleman from Oklahoma [Mr. MORGAN] is totally opposed and antagonistic to the theory upon which the present bill is constructed. It is destructive of it,

and I hope that all the friends of the good-roads bill will vote down the amendment of the gentleman from Oklahoma.

The CHAIRMAN. The question is on the amendment of the gentleman from Oklahoma.

The question was taken, and the amendment was rejected.

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

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

The Clerk read as follows:

Amend, page 7, line 23, Shackleford amendment, by inserting after the word "times" the following:

"Class D shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, so constructed and kept in such repairs and condition that they shall be reasonably passable for wagons and other wheeled vehicles at all times; and the United States shall pay \$5 per annum per mile for the use of such highways when used and for the time used by the United States Government in carrying or transporting United States rural mail; and the money so paid to the local officers entitled to the custody of same shall be used by them within one year thereafter in the repair, maintenance, and improvement of the road or highway on which and for the rental of which said money was paid."

Mr. POWERS. It will be seen that the amendment which I propose adds an additional class of roads—a class of roads below and inferior to class C. The Shackleford amendment provides that \$15 per mile per annum shall be paid by the Government for the use of class C roads. My amendment to the amendment provides that for class D roads only \$5 per annum per mile shall be paid. The class D roads include roads which are at all times reasonably passable for wagons and wheeled vehicles. My judgment is, Mr. Chairman, that the scale of payment of class A and class B and class C roads should be cut in two—about half—and that class D should be included in the class of roads to be paid for by the Federal Government for its use. Under the Shackleford amendment \$25 per annum per mile are to be paid for class A roads, \$20 per mile for class B, and \$15 per mile for class C.

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

The CHAIRMAN. Does the gentleman yield?

Mr. POWERS. I yield.

Mr. MURDOCK. In the Shackleford measure each one of the classes of roads, roads of each class, as a road measure, are ditched. Now, does the gentleman contemplate having class D roads, as he provides for, also ditched?

Mr. POWERS. No; I do not. In many instances this can not be successfully done.

Mr. MADDEN. Does the gentleman mean to say that the gentleman's amendment is to be ditched? [Laughter.]

Mr. MURDOCK. It may be. [Laughter.]

Mr. MICHAEL E. DRISCOLL. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. POWERS. Yes, sir.

Mr. MICHAEL E. DRISCOLL. It includes all classes of roads not included in classes A, B, and C?

Mr. POWERS. Class D includes roads only of that character which are reasonably passable at all times by wagons and wheeled vehicles. And there is another distinction between class D roads and those provided for by the Shackleford amendment. All the moneys which are paid by the Federal Government for class D roads are to be used by the local officers for the proper repair and maintenance and improvement of class D roads. The Shackleford bill does not contain that character of a provision for the use of the money so paid to the local authorities; and I can readily see the reason for that provision, although it is contended by gentlemen that this money is to be so used. So far as I am individually concerned, I do not so construe the language of the bill.

But from my viewpoint it does not make any material difference, so far as that class of roads is concerned, because, before the Federal Government has to pay this money, classes A, B, and C have to be brought up to and kept up to a certain standard of efficiency or proficiency by the local authorities. Whether that standard of proficiency is brought about by the money paid by the Federal Government to the local authorities or whether that degree of proficiency is brought about by local taxation or by digging the roads themselves, to me is not material, although I would like to see the money paid by the Government put back into the roads. The fact, however, remains that those roads have got to be up to this class of proficiency and this class of perfection before the Federal Government is required to pay any money for the use thereof. And why should we not have class D? These roads have got to be kept up by the local authorities, the same as classes A, B, and C.

Class D roads includes that great bulk of roads of this country which need improvement most. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on the Shackelford amendment and amendments thereto close in 30 minutes.

The CHAIRMAN. The gentleman from Tennessee [Mr. Moon] moves that all debate on the Shackelford amendment and all amendments thereto be closed in 30 minutes. The question is on agreeing to that motion.

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

Mr. RAKER. Mr. Chairman and gentlemen of the committee, one of the main objections, it seems to me, that has been urged against this proposition is that the Government should not expend this money for the benefit of the mail service. It seems to me that those who are opposing this bill, or the Shackelford amendment, forget the amount of money that the Government has expended in the improvement of rivers for the purpose of carrying the mail. They forget the amount of money that has been expended in the cities for caring for and handling the mail.

They say that the cities pay millions of dollars toward the support of the Government. They forget that over three-fourths of that money comes from the country, sent in there to send the merchandise out. The mail carriers deliver their mail at the door and in the house, where the rural-delivery carrier does not. He leaves the mail at the roadside where the boxes are, along the road, and every man that gets his mail has to travel from his home to that box, which may be from 100 yards to three-quarters of a mile or 3 miles distant, and sometimes 5 miles to the box where the rural mail has been delivered. The gentlemen who live in the large cities and who are opposing this bill forget that, and, in addition to that, they get their mail in the cities seven or eight times in a day and these people in the country get theirs but once a day, and sometimes only twice or three times a week. Of course, it depends somewhat on the location. Then when you get to the star-route service, which is about one-third of the amount involved in this bill, the people who are served by that means get their mail once a day, sometimes once in two days, and they have to go to the post office to get their mail, and do not have it delivered at their homes.

And now I want to say a word for a few moments in reply to the statement made by my learned and distinguished friend from Texas [Mr. BEALL]. He says that there is no demand for this legislation. He says that the people have not appeared before the committees of the House and demanded it or urged it. The people had the right to believe, when the Democratic Party put in their platform a declaration to the effect that they were in favor of improving good roads and assisting in giving better transportation, that that pledge would be carried out. [Applause on the Democratic side.] And the people who sent here the Members sitting on the other side of the House also had the right to believe that if the Republican Members were elected they would come to this House and give them relief. The people of the country did not believe that when they sent in all 393 Members to this House it would be necessary for them to write letters and file petitions and send telegrams and to come here in person. They believed that they had these Representatives here to appear before the committees, demanding and asking that their rights should be considered. Now the gentleman from Texas says, "Why this change?"

Away back in 1860 and 1865 and 1870 this Congress was always busy donating empires to the railroad companies, giving them free land, areas almost the size of States, and there was not any question as to the railroads.

Mr. BEALL of Texas. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Texas?

Mr. RAKER. I regret that I have not the time. Under any other circumstances I would yield. To-day the people are in the saddle. [Applause on the Democratic side.] To-day their Representatives are here asking that, instead of donating to the railroads all the time, giving the railroads consideration, you give the people some consideration in relation to the building up of the roads, so that the wants of the people, the desires of the people, may be considered, and in order that they might have an inning at this time.

That is the reason behind the bill. [Applause on the Democratic side.] That is the reason why the changed conditions have been brought about in this House, and we find in this body to-day over three-fourths of its membership in favor of the Shackelford amendment. Why? They have assured their people at home that they were in favor of it. They are here to

carry out that pledge, and it does not need men from all over this country to appear before the committee for that purpose. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I make the point of order that all debate on the pending amendment is exhausted.

Mr. HARDY. My understanding was that we had 30 minutes on the Shackelford amendment. I wish to be recognized.

The CHAIRMAN. The point of order of the gentleman from Illinois is that debate on the pending amendment, which is the amendment of the gentleman from Kentucky [Mr. POWERS], has expired. That point of order is sustained.

Mr. CANDLER. I move to strike out the last word.

Mr. MANN. I ask for a vote on the amendment of the gentleman from Kentucky.

The CHAIRMAN. The question is on the amendment of the gentleman from Kentucky [Mr. POWERS].

The question being taken, the amendment was rejected.

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

Mr. TAGGART. Mr. Chairman—

The CHAIRMAN. The gentleman from Kansas [Mr. TAGGART] is recognized.

Mr. MANN. A parliamentary inquiry. Did the gentleman offer an amendment?

The CHAIRMAN. Does the gentleman from Kansas offer an amendment?

Mr. TAGGART. I move to strike out the last word.

Mr. MANN. I simply desire to have an amendment pending, so that we can make a point of order when the debate on it is exhausted.

Mr. TAGGART. Mr. Chairman, this is the first time in more than half a century that a measure has been proposed in this House for the particular benefit of the rural population.

An impression is abroad in the land that a majority of the people of the United States live in cities. This is contradicted by the latest statistics gathered by the Census; for it appears that 46.3 per cent of the people live in cities and towns containing more than 2,500 inhabitants, and that 53.7 per cent referred to as urban population live either on farms or in towns and villages of less than 2,500 inhabitants, and nearly all of the 53.7 per cent are interested in agriculture, and particularly interested in the improvement of public roads.

The rural population of every land is that portion of the population which is the least expensive to the Government, and at the same time is the most reliable source of the revenue of the Government.

It was never supposed that a farmer's business required the direct protection of the Government; armies were not raised and navies were not organized to protect his farm. In the whole history of our people the armed forces of the Government were never called upon to suppress an insurrection of farmers. The judicial branch of the Government is very far from the farmer; the United States courts are strangers to him. Not one farmer in 10,000 enters a United States court in any other capacity than as a juror or as a witness.

The amount of money spent by the Department of Agriculture is a mere trifle compared with the vast outlay of the Government. Seventeen and one-half millions of dollars, compared with the total \$726,000,000 of ordinary disbursements, represents the proportion of the expenditures devoted to agriculture last year.

And yet through all the years the American farmer has uncomplainingly borne his share of the burden of the Government. He has been appealed to in the name of patriotism to vote for protection. It was represented to him that to protect American labor and American industries, he should be willing to pay somewhat more for the articles protected. Out of the generosity of his heart he was willing to pay exorbitant prices in order that American industry might flourish. In all history there is nothing so unselfish as the unremitting support that he has given to protect and establish American industries.

In the last few years, however, the American farmer has been reflecting very seriously on the expediency or the necessity of voting advantages to any branch of industry. He knows now that the tariff acts which were voted in the name of American labor and American industry were simply privileges that were granted by Congress to manufacturers. The whole scheme of that legislation was to stimulate the generosity of employers of American labor. Under that legislation industry flourished, but the princely sums that were derived from the privileges granted were not paid to labor and were never returned except by what was called "general prosperity" to the farmers of the country whose votes made such legislation possible. The vast results flowing from the advantages enjoyed under this

legislation were not divided among those who did the work, but were amassed in fortunes which, to use an expression from John J. Ingalls, "dizzy the arithmetic of the imagination."

The rural people have also begun to realize that for every dollar collected upon foreign imports an indefinite sum that can never be calculated is charged as an extra price for home manufacturers. Of course, Edmund Burke said that "we can tax the shirt off a man's back, if we do it indirectly," and, after all, perhaps it is well that a part of the revenues of this Government are collected by duties on imports.

But I actually believe that if the whole expense to the people of partly maintaining the Government by collection of import duties was all calculated and all known, that, with the exception of luxuries which only the wealthy purchase and who prize them for the very prices they are obliged to pay for them, no duty would remain on any imported article, and no man would dare risk his reputation by advocating a tax of any kind on the common necessities of everyday life.

Gentlemen here have mentioned that the Democratic Party is committed to the doctrine of "tariff for revenue only." Mr. Chairman, any man who uses that antiquated expression at this date demonstrates his mental incapacity to invent a new joke. I say to you that it would be impossible to collect the revenues necessary to conduct this Government by levying on imports a tariff "for revenue only." A tariff that is too high does not produce revenue. The duty on blankets furnishes a notable example of this, for it has produced no revenue to speak of in more than 20 years.

If a tariff were too low, it would fail to produce the necessary revenue, and if a tariff were too high it would fail to produce the necessary revenue. No duty can be levied that would produce the necessary revenue. Seven hundred and fifty million dollars annually have been thought necessary for the ordinary expenses of this Government, leaving out the income of the Post Office Department.

The present tariff duties do not provide one-half of the revenues of this Government. But \$314,000,000 was collected from duties on imports last year.

I do not believe that it would be possible to levy a tax even upon articles not produced in this country that would produce the necessary revenue.

The meaning of "tariff for revenue only" never had any reference to a duty on what was not produced in the United States. It expresses the difference between a tariff that was levied for the express purpose of protection with the incidental effect of producing revenue and a tariff levied for the purpose of revenue with the incidental and necessary effect of protection, and the time has come when no other tariff can be levied because a duty which would secure complete protection would produce no revenue, and a duty which would produce the revenue would not secure complete protection.

The total value of the dutiable merchandise imported last year was \$750,000,000.

The value of the articles free of duty was \$776,000,000.

Last year the amount collected by the receipts of duties on imports was \$314,000,000, as I have said.

The internal-revenue receipts were \$322,529,201, including the \$34,000,000 collected by tax on the incomes of corporations.

If the entire dutiable imports of the United States were sold at their value, as stated by the Treasury Department, they would scarcely pay the expenses of the United States Government.

So it is manifest that a "tariff for revenue only" must be a tariff that the people will pay, and in the very nature of things such a duty would fail to produce the entire revenue.

The expenditures of the Government have grown beyond the possibility of securing even one-half of the amount by the duties on imports.

Recognizing this state of facts, and the further fact that the levying of these duties on imports has failed of its purpose and that it is in fact a granting by law of a privilege to certain classes of manufacturers, this House a few days ago passed an act levying a tax on incomes of individuals over and above \$5,000 per annum. At the same time by another act the American people were relieved from a tax on sugar. This House cut off the privilege of levying tribute on the table of the American citizen and placed the burden on the American citizen who is enjoying an income of more than \$5,000 per annum. This is in conformity with a former act by a former House imposing a tax upon corporations whose net annual earnings exceed \$5,000. Thus, the former House—committed to protection—saw fit to supplement the inadequate revenue that might be secured by levying a tax on imports, by taxing the annual incomes of corporations in excess of \$5,000.

Those gentlemen who are apprehensive that we can never relieve the American people of the burden of taxes on imported necessities while we continue the same rate of expenditures, are simply mistaken. The people are slowly and certainly directing their attention to the problem of placing the burdens of this Government where they rightfully belong—upon the shoulders of those who are best able to bear them.

Every writer on political economy and every statesman whose name lives in history has advocated the principle of placing the burdens of Government upon those who have had the privilege of acquiring the greatest share of the Nation's wealth.

Wise men now see and understand distinctly that the vast revenues of this Government can not be derived from the earnings of the poor.

The late census reports show that the farms of the country are worth \$41,000,000,000. This is less than one-third of the estimated value of the wealth of the American people.

Where did two-thirds of the wealth come from? No one has ever accurately calculated the wealth that has been derived from mines, forests, or fisheries, or the profits which we have realized in our dealings with other nations; and to furnish the pretended calculations of anyone who assumed to give these figures would be idle and useless, but there can be no doubt that more than one-third of all the wealth of this country represents the profit to others of the farmers' industry.

Now, is it not only fair that a part of the wealth which has been derived from the farmer should be sent back to the farmer?

The other nations of the earth have built good roads for military purposes. We improve our roads for the purpose of encouraging and aiding not only the greatest source of wealth and prosperity, but the very source of life itself. While all other enterprises have grown and prospered in the United States, the growing power of American farms, taken as a whole, has diminished in the last quarter of a century. In the fairest of all the regions of the United States farm population has diminished, either because active and able men have left the farms to try their fortunes in the cities or have emigrated, because of the high price of land, to the newer parts of the country, where they might secure cheaper land. Farmers who have amassed a competency have left their farms and removed to cities and towns, renting their farms to tenants, who removed the whole crop from the farm and slowly but surely diminished the growing power of the soil without fertilizing and renewing it.

Mr. Chairman, this is one of the most vital concerns of the American people. The burned city or the ruined factory can be rebuilt in a few months, but the wasted and impoverished farm, growing in weeds and shrubbery, as it is seen in many Eastern States, will require years to renew it and make it a source of living for the people.

It is the duty of this Government to address itself to this important matter, and I can not conceive of anything which will promote the interests of agriculture so certainly as the improvement of roads. There are places in the richest parts of the United States where it is impossible for a farmer to haul a load to market at certain times of the year. The question of improving roads is occupying the attention of the people. It was my privilege to serve as a county officer for five years before coming here in a county which built more roads in proportion to its area than any county in the West, and I never heard a word of regret, although they were expensive roads and cost \$1 a linear foot to improve them.

I believe that it is the duty of Congress to stimulate road building. The people are wise and thoughtful. They know that the Government can not bear the whole expense nor any considerable part of the expense of improving roads, but they know the value of the aid and the recognition of the United States and the powerful impetus that it will give to road building.

The Bureau of Roads in the Agricultural Department publishes in its statistics that there are 2,199,388 miles of public roads in the United States. The report goes on to state that but 8.6 per cent of the mileage of these roads is improved.

In the State of Kansas there are 98,802 miles of public highways and but thirty-eight one-hundredths of 1 per cent of the distance covered by these roads is improved.

The average amount of money spent on each mile of road in the United States is \$64.63, and in Kansas only \$16.27 a mile is expended according to this report.

I can not agree with the gentlemen who say that we should protect the people against these appropriations.

Mr. Chairman, the people have never overtaxed themselves for anything which was useful to them, but the people of the

United States have been overtaxed for things which were of absolutely no use to them.

The American farmer may get upon a high place and look as far as his vision will reach, and he can not see a spot where the Government of the United States has spent a single dollar outside of a city or town or away from some navigable river.

And yet since the foundation of this Government more than one-half a billion of dollars has been spent for the improvement of rivers and harbors to promote commerce by water, and the statistician has not lived and does not live able to furnish the figures stating how much this Government has given to railroads in the interests of railway transportation, while the latest act that I have been able to find for the building of wagon roads was one that showed an expenditure of \$300,000 in June, 1834, for the improvement of the Cumberland Road.

No, Mr. Chairman, the people will not overtax themselves for public improvements. In fact, I think that the people of this Nation are as wise as we are, and I am certain that the events of the last few days have given us all a new appreciation of the dignity of the American people. When we see the spectacle of the two most distinguished men in the Nation going to the home of Daniel Webster and vindicating their respective reputations for truth and veracity against their mutual accusations of falsehood, the quiet and dignified patriotism of the American people rises mountain high in our estimation. Mr. Chairman, I say to you seriously that if the founders of this Government had allowed themselves to indulge in such unseemly and personal contests for place and power, we should never have had a flag or a country, and we should not to-day have a republican form of government. We would have the "man on horseback"; and if the people continue to testify their appreciation of these word battles for power, it will not be long before we demand something more exciting, and perhaps then the time will come when we shall witness a real battle for power such as is now in progress in Mexico.

No, Mr. Chairman, the rural population are steadfast. They are the most patriotic and dignified of all. They do not demand the depletion of the Treasury nor that any undue advantages should be given to them, but they do demand that Congress shall take interest in the question of the building of roads. The Constitution recites that "Congress shall have the power to establish post offices and post roads." The Constitution contemplates that road building is one of the functions of the Government, and inasmuch as Congress has power to build roads, it certainly has the power to take part in the improvement of roads.

A large number of bills of this character were introduced and referred to the Committee on Agriculture, of which I have the honor to be a member. Those bills presented a great variety of views and suggestions and plans. The gentleman from Missouri [Mr. SHACKLEFORD], being the author of one of the bills and being interested in the subject, requested that we all unite in the authorship of such a bill as would be recommended by the committee and would recommend itself to the House. Each of us who had introduced a bill agreed with the gentleman from Missouri [Mr. SHACKLEFORD] that he might prepare this measure. It was referred to the Committee on Agriculture, and favorably reported. Then the Committee on Rules, at the request of a large number of Members of this House, reported a resolution suspending the rules of the House and allowing the bill to become a part of the postal appropriation bill. It is now before us as an amendment to that bill. This is not a bill to aid directly in the improvement of roads, but to pay for the use of roads traveled by rural carriers of mail. It divides roads into three classes and provides for compensation for their use as follows:

Class A shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide, composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide, of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair.

Class B shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide, composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface.

Class C shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted, and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times.

SEC. 2. That whenever the United States shall use any highway of any State or civil subdivision thereof which falls within classes A, B,

or C, for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C.

These are the provisions of the bill as it was reported by the Committee on Agriculture. The reports of the Post Office Department show that about 1,000,000 miles of road are used for rural delivery. Inasmuch as a very small percentage of the roads used are embraced in classes A and B, while possibly 90 per cent are included in class C, the annual cost of this measure will probably be about \$18,000,000. This would seem to be an immense sum, but it will not be spent for anything useless, but will be in furtherance and aid of the greatest of all our industries. It will furnish an inducement and an incentive to improve highways. It will not be abused. No sensible man would ask Congress to improve roads wholly at the expense of the United States Government. That would be impossible. This measure is not intended to furnish even a substantial part of the expense of macadamizing or otherwise improving roads, but it is intended to set on foot a system of road building that will result in the greatest interest being taken in this necessary improvement, and it is all done in behalf of agriculture—the most neglected and at the same time the greatest of all our sources of prosperity.

The CHAIRMAN. The Chair will call the attention of the committee to the fact that debate on all propositions of amendment relating to the pending proposition expires in 30 minutes.

Mr. TAGGART. I ask for one minute more.

The CHAIRMAN. The Chair will call attention to the fact that extensions of the time of gentlemen having the floor mean the exclusion of some one else. The Chair will now put the request of the gentleman from Kansas.

Mr. MANN. I give notice that I shall object to any extensions.

The CHAIRMAN. Objection is heard.

Mr. BARTLETT. Mr. Chairman, at the risk of bringing down upon my head the condemnation of those who favor this amendment I shall oppose it, and though it remit me to private life I am willing to give expression, by my voice and by my vote, to my opposition to a plan which if inaugurated will lead to the control of every post route and country road in my State by the Federal Government. [Applause.] I have not in my mail a suggestion or a request from a single constituent of mine asking me to support this measure, and have not had since it has been under consideration. No doubt there are many in my district and State who are in favor of the improvement of the public roads of this country by the United States Government, but those people whom I have so long and I trust faithfully represented understand my position upon these questions, and when they vote for me in the primary or at the general election they know that during the 17 years of service I have given them here no vote of mine has ever been cast, or any suggestion made by me, that the ancient doctrine of the Democratic Party that the States owe some duty to themselves and the duty to control their local affairs and enforce their police laws belongs to the States and not to the General Government. [Applause.]

Sir, I wish I had the time to call attention to some of the objections I have to this proposed amendment. There are traveling through this country of ours to-day, and six days in every week, rural carriers on 1,000,015 miles of post roads in the various States, a distance that would carry them around the world 42 times each day. If we appropriate only \$15 a mile, that means \$18,000,000 a year at the least calculation, if we add not a single mile to our present rural routes. Where shall the money come from? It is not in the Treasury and must be provided for by taxation. From every section there comes the demand that taxes be decreased, and the burdens of taxation on what the people eat and wear and use be lessened. How are these burdens to be removed and appropriations to be increased at the same time? It is as impossible as the task of the man who undertook to lift himself over the fence by his boot straps. [Applause.]

But if we are to be guided purely by the benefits to be derived by our particular States or districts from this proposed amendment, then the advantages secured to my State and district are so insignificant that I decline to surrender my convictions of a lifetime in order to secure them.

Georgia has, according to the report from the Office of Public Roads, 82,230 miles of public roads; of this mileage 880 miles are gravel 4,326 sand clay, and 522 stone; in all, less than 7½ per cent of her public roads are so improved as to be embraced within the term of this amendment, and the other 75,000

miles would not receive anything. The district I represent has 3,288 miles of public roads now used as postal rural routes; of these not over 250 miles are improved or in condition to receive the smallest amount provided for by this amendment.

The Rural Mail Service has been a great boon to our people, and my people have not yet demanded of me that the General Government shall be charged rent or hire for the carrying of the mails to their homes and to their very doors. But it is said that the last Democratic platform demands our support of this amendment. I deny it; but if it did, I am thankful that the time is at hand, not more than 60 days distant, when we will no longer be bound by the platform made at Denver in 1908, upon which we were carried to political defeat and destruction. [Applause.]

Mr. MANN. I make the point of order that all debate upon the pending amendment is exhausted.

The CHAIRMAN. The amendment is a pro forma one, and it will be considered as withdrawn if there be no objection.

Mr. MOORE of Pennsylvania. I offer the following amendment.

Mr. CANDLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CANDLER. There was a motion made to limit the debate to 30 minutes on the then pending amendment, as I understood it. I want to ask if that time has not been exhausted.

The CHAIRMAN. The motion was that on the Shackleford amendment and all amendments thereto the debate be closed in 30 minutes. The gentleman from Pennsylvania [Mr. Moore] offers an amendment, which the Clerk will report.

The Clerk read as follows:

After line 24, page 2, Shackleford amendment, insert as a new paragraph:

"Class D shall embrace all improved highways within city or county limits the cost and maintenance of which is paid for by the taxpayers resident therein, and the compensation therefor shall be equal to the highest rate paid by the United States for the use of any other highway of a county or State."

Mr. MOORE of Pennsylvania. Mr. Chairman, this amendment proposes to make uniform the legislation proposed by the gentleman from Missouri [Mr. Shackleford], and to make it uniform in compliance with our common understanding of the Constitution and the institutions of this country. Gentlemen rise upon this floor frequently and berate the manufacturer and the city dweller. They do so generally when a stampede comes from the farm or, as in this particular instance, from the free rural delivery carrier. But I question whether gentlemen on the other side have heard so much from their tax-paying constituencies with regard to this proposed good-roads subsidy amendment as would seem to be indicated from speeches made upon this floor. I have just returned from a two days' tour through the Central and New England States.

Everywhere I have asked men with whom I came in contact whether they knew that this Post Office appropriation bill contained the provisions it does relating to the condemnation of express companies, the construction of good roads at Federal expense, the establishment of a parcel post, the Government ownership of transportation facilities, and so forth, and in every instance I have been astounded at the information that this Congress was entering upon these radical propositions in this way.

You gentlemen may have heard from the rural carriers, but I question whether you have yet heard from the cities or those great masses of producers who, in one form or another, are required to maintain the Federal Treasury, and who are not aware that this Congress proposes now by this bill to enter upon the policy of the Government ownership of all public utilities.

Mr. AKIN of New York. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not yield now. I have offered an amendment here which proposes that, whereas you create three classes of country roads in the several States that shall be given aid out of the Treasury of the United States, which Treasury is made up of the money of the common people of the United States, you shall go one step further and provide compensation to those builders of good roads who have already completed their work, who have paid their taxes, and who now are being called upon to pay a second time for the extension of roads in other sections of the country.

Oh, gentlemen talk about appropriations for rivers and harbors! Do the gentlemen who raise that question indicate where the money has gone that has been appropriated for the purpose of rivers and harbors since the beginning of this Government? I will briefly tell you—up to 1907 more than \$550,000,000 had been appropriated by the Government, of which more than \$210,000,000 went into the Mississippi Valley from the Lakes to

the Gulf, and only \$140,000,000 went to the great Atlantic seaboard for the improvements there that mean and have meant so much for the commerce and trade of the country. Do you want to know more about rivers and harbors appropriations? During the five years since 1907 you have appropriated \$179,000,000, of which \$110,000,000 have been poured into the Mississippi Valley for the purpose of holding up your shore lines and protecting your private property, while only \$50,000,000 have gone along the Atlantic seaboard—where we raise 80 per cent of all of the tariff revenue of the country—and but \$19,000,000 have gone to the Pacific coast where we are now endeavoring to improve our trade relations. You are not counting the cost—

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

Mr. MOORE of Pennsylvania. I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman has that right, under the rule.

Mr. BOWMAN. Mr. Chairman, the district which I represent contains not only large and important cities, but also an important farming community, and they are both equally interested in the construction and maintenance of good roads. The majority of the people of Pennsylvania are interested in the construction of good roads. In my judgment there is no other thing which will so advance civilization as that which promotes the interchange of intelligence and commodities between the different parts of a country and the different peoples who reside in that country. It is a difficult matter to excite sufficient interest to construct a road. It is still more difficult to secure the continued interest which will keep that road in repair. I consider this measure as most admirably framed to produce that result. The amount which is proposed to be given as rental for the use of the different classes of roads would not amount to the interest on the money that would be required to construct any one of the roads of the class named in the measure, but it will be an inducement to keep those roads in good repair. It has been stated that it would require \$16,000,000 the first year in order to meet the provisions of this measure. If it did take \$16,000,000, that would mean that there were about 800,000 miles of road kept in good condition throughout the United States. At present in this country there are less than 200,000 miles of improved roads, and if by an expenditure of \$16,000,000 you could have 800,000 miles of road that were passable at all times of the year for vehicles of all classes, that were graded in conformity to the topography of the country and "with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface," it would reduce the expenses of transportation from the present high figures to what it now costs in France, namely, 7 cents per ton per mile. This measure would permit the farmer, the fruit or the truck raiser to get his produce to the market at a much less rate, and thereby it would be a benefit not only to him but to each person using his products in different parts of the country. It would permit the merchant in the city to carry or send anything he had of value to the farmer at a much less cost, and the result would be an economy to each individual as well as to the Government, as the mails that were transported over the roads would be carried at a much less actual cost, which would result in a diminution of the cost per mile to the Government from what it is now paying for this service.

Something has been said about the cost of inspection. Each man in charge of a rural delivery route would be a constant inspector of the road he covers, and the man who is sent out as a general inspector could, with a small expenditure of time in addition to that he now occupies, discover the condition of the roads. I consider the measure of great importance to this country, and will do as much, if not more, to advance civilization than any other measure that I have seen introduced in this Chamber. [Applause.]

Mr. SULZER. Mr. Chairman, just a word to say I am now, always have been, and always will be in favor of a free press in this country. At this time I desire to have read for the information of the House an article by Hon. Wilmer Atkinson, editor of the Farm Journal, for a free, untrammelled, and independent public press in the United States.

The Clerk read as follows:

PROGRESS OF THE CONTEST FOR A FREE, UNTRAMMELED, AND INDEPENDENT PUBLIC PRESS IN THE UNITED STATES.

Over a decade ago, under the mistaken belief that the transportation of newspapers and periodicals through the mails caused great loss to the Government, officials of the Post Office Department started a campaign for a restricted circulation of the public press, and for this purpose demanded of Congress an increase of the postage rate, adopted a code of laws extraneous to the laws passed by Congress, and enforced

them with the help of a small army of inspectors and a secret star-chamber court.

In the course of six years of revolutionary ferment and its aftermath, from December 7, 1905, to October 14, 1911, the Russian authorities confiscated issues of newspapers and periodicals in 1,055 cases. In 283 of these cases the issues confiscated were destroyed, and in 12 cases certain pages of articles were removed by order of the court. These figures refer only to confiscations which were subsequently approved by the courts.

In the United States of America during the same period, 1905 to 1911, inclusive, 5,236 publications were either denied access to or ejected from the mails, resulting in a permanent suspension of issues, in many cases with little less disastrous results to the owners than would have been the confiscation of types, presses, and other printing and publishing equipments.

In Russia the confiscation of 1,055 publications applied only to certain specific issues or parts of issues, not to the publications themselves, in every case authority for the procedure being justified by regularly constituted courts.

In the United States the confiscation covered the whole establishments, to the ability and right to publish further issues, without appeal to the courts, and based, not upon any well-defined or well-understood laws of Congress, but upon certain multitudinous, obscure, arbitrary rules and regulations, varying according to the notions of the official who happened to occupy the seat of power, and changing from year to year.

The excuse for such mild exhibition of Russian despotism was the publication of articles inimical to the Government; the sole pretext in the United States for such drastic and arbitrary action was the authority given to the Postmaster General by Congress for the classification of mail matter. The justification in the minds of postal officials was that the Government lost money on second-class matter, a condition that did not exist.

It has seemed to be my duty, as it has been my pleasure, to oppose this policy of the Post Office Department, and to endeavor, in as gentle and considerate a way as possible, to bring the Government back to a realization of the lawlessness and wrongfulness of thus imposing burdens upon the public press and of subjecting it to animadversion and oppression the like of which is unknown, and probably would not be tolerated, in any other civilized country.

While my ultimate and chief concern has been for the independence and freedom of the press, I early foresaw that the wisest course to pursue was to prove from the official records of the Post Office Department that the Government loses nothing on second-class matter; but, on the other hand, that such matter, by reason of the enormous amount of other classes of mail matter originated by it, fairly estimated to be 75 per cent of the whole, is in reality more profitable than any other. Anyone who will read with open mind and a desire to learn the truth the official facts that I have printed and published in recent issues of this sheet and in pamphlet form can but conclude that my purpose has been accomplished; so that it is now well understood and generally admitted, outside of official quarters, at least, that any further persecution of publishers and confiscation of their rights, liberties, and ability to publish on the part of the Government has no basis of propriety or justice. An encouraging outlook is therefore presented in the success of the first step toward the triumph of our good cause.

The chief difficulty in the way of a proper adjustment of the relations of the Government to the press has been the attitude of publishers themselves, evidence of which is contained in the report of the Overstreet Commission, as follows: "At the hearing in New York in October, 1906, the representatives of the periodicals were able to agree upon but few recommendations, each class of periodicals being willing to make a sacrifice only of the particular privilege which it did not make use of. The representatives of the metropolitan daily press, for instance, were quite willing that the distinction in favor of weekly newspapers, including the free county privilege, should be abolished; that sample copies should be altogether prohibited; that extension of credit to subscribers should be stopped, and that all premiums or clubbing schemes resulting in abnormal discounts in the price of subscription should be done away with. The interior dailies and weekly papers, on the other hand, protested against the prohibition of credit to subscribers, except after the expiration of a year and a half. The interior dailies were willing to see the sample-copy privilege largely reduced, and it was argued that an absolute prohibition of samples would hamper the starting of new publications to the advantage of those already established."

It was to me obvious that, with this situation existing, publishers were at a disadvantage in allowing postal officials to carry forward any policy they chose, regardless of the protests and of the welfare of publishers, working their way with one class at a time, and it has been my endeavor, my argument, and persuasion, in season and out of season for several years to rectify this unfortunate condition and bring publishers in harmony with each other, in order that they might unitedly combat measures designed and calculated to cripple their business enterprises and destroy their independence.

Proof is not wanting, outside of the findings of the Overstreet Postal Commission that publishers were not standing together as they should and as they must if they are ever to win. Nearly all of the great metropolitan daily newspapers were ever ready to side with the postal authorities in advocating an increase of rates (for others) and for a more drastic regulation against the freedom of circulation of other classes of publications; and the country weeklies, which in part paid no postage, were indifferent to the cry of distress raised by weeklies and monthlies outside of their territory. Now, a change has come, there is a more friendly feeling between various classes of publishers, and an almost united front is presented against the policy of Government repression and persecution.

As proof I submit the report of the postal committee of the American Newspaper Publishers' Association, an organization representing nearly all the metropolitan dailies, as follows:

"There were delivered by express and railroad shipments last year 324,220,818 pounds of newspapers at a rate varying from one-fourth to 1 cent a pound, the bulk going at a rate of one-fourth to one-half cent a pound. This goes to show the absurdity of the proposed legislation doubling the postage rate and limiting the privilege to publications that carry as much reading matter as they do advertising. The proposal was stupid enough when the postal deficit was \$17,000,000 two years ago; it becomes preposterous in the face of a surplus. What business has a transportation corporation, which is all the Post Office is, to prescribe how a business shall be conducted? It can not be assumed that such legislation will ever get by Congress. But publishers are requested to fight the theory that the right to send their output by mail is a 'privilege.' The figures show it is not. The Post Office

is a badly managed business. That is all. We should fight its dictation, its censorship, and its inefficiency."

These sentiments, issued by authority of the most powerful association of publishers in the United States, are now current in nearly all daily newspaper offices throughout the country, which certainly indicates marked progress toward better conditions. The following illustrates the changed attitude of the rural press:

"The newspaper men of South Dakota, in convention assembled, recently determined that, regardless of party affiliation, they will secure justice from the Post Office Department or know the reason why. The publishers of Minnesota are much alive on the same subject. The National Press Association is a virile organization, which will make itself felt in national and State affairs. We don't want any shakedown proposition. We are not looking for any special legislation in our favor. We are simply opposed to legislation passed against us. And we are certainly unanimously opposed to the oligarchical rule of the bureaucrats at Washington." (Publisher of a Montana weekly.)

Contrast the situation existing at the time the Overstreet Postal Commission met in 1906, when the Government's ultimatum was a 4-cent-a-pound confiscatory rate, when publishers were pulling at sixes and sevens, and now, when only a 2-cent rate is demanded, and the whole press of the country is fairly well united in demanding a square deal from the Government, a retention of the present rate and a new and fair adjustment of the relations between the Post Office Department and the press.

With a foresight and wisdom for which he was not given adequate credit, Edwin C. Madden, in his annual report for 1905, declared "that there ought to be a law enacted that will establish second-class matter upon simpler and less ideal distinctions. The present statute requires altogether too much interpretation, too much regulation, and the exercise of too much executive discretion. The rate of postage should not depend upon such complicated questions as to require experts to determine what comes within and what does not come within the law. A new law is needed, the present act is woefully out of date. Regardless of whether the rate be raised, or lowered, or remain as it is, there should be, as a matter of justice and reason and business sanity, a change in the conditions, considerations, and qualifications for the classification of second-class matter."

While felicitating ourselves upon the excellent progress made, we, however, must not conclude that the contest is ended, that little more remains to be done. I want to see the public press entirely free from the control of Government; I want to witness a complete abandonment of the claim of the Post Office Department of the right, under the pretext of classifying mail matter or under any other pretext, to say who shall and who shall not print and publish anywhere in the United States.

WILMER ATKINSON.

PHILADELPHIA, April, 1912.

Mr. GUDGER was recognized.

Mr. MANN. Mr. Chairman, I make the point of order that all debate on the pending amendment has been exhausted.

The CHAIRMAN. The gentleman from Illinois makes the point that all debate on the pending amendment is exhausted. The gentleman is correct.

Mr. GUDGER. Mr. Chairman, I ask the gentleman from Illinois to withdraw his point of order for a minute. I shall vote for this bill.

The CHAIRMAN. All debate is exhausted. The question is on the amendment offered by the gentleman from Pennsylvania. The question was taken, and the amendment was rejected.

[Mr. CANDLER addressed the committee. See Appendix.]

Mr. MANN. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 2, line 22, of H. R. 22952, after the word "act," insert the following: "Under and in accordance with rules and regulations prescribed jointly by the Secretary of the Treasury and the Postmaster General."

Mr. SHACKLEFORD. Mr. Chairman—

The CHAIRMAN. There can be no debate on the amendment; all debate is exhausted.

Mr. MANN. Mr. Chairman, I ask unanimous consent for one minute.

Mr. SHACKLEFORD. Mr. Chairman, I think we ought to adopt this amendment which the gentleman offers. We who are the friends of the bill are all favorable to the amendment.

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

Mr. RAINEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Insert, after line 13, on page 3 of the Shackleford amendment, the following:

"Provided, That no compensation shall be paid by the Government for roads now falling within classes A, B, or C, except as follows: The compensation above mentioned shall be paid on all class C roads which shall hereafter be improved so as to fall in class A or B, said compensation to be due from the time said road falls within class A or B as fixed above for said class A or B; on all class B roads hereafter improved so as to fall within class A, the compensation provided for above shall be paid from the time said road falls within class A at the rate fixed for a class A road; all roads not now falling within any of said classes shall whenever they are so improved as to fall within class A, B, or C be entitled to the compensation provided for above from the time said road falls within either of said classes at the rate fixed for said class."

Mr. RAINEY. Mr. Chairman, I ask unanimous consent for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may have five minutes. Is there objection?

Mr. SHACKLEFORD. Mr. Chairman, reserving the right to object, I ask that the gentleman may speak for two minutes and somebody speak for two minutes in opposition.

Mr. RAINEY. Mr. Chairman, I ask for two minutes.

The CHAIRMAN. Does the gentleman from Missouri object?

Mr. SHACKLEFORD. I do.

The question was taken, and the amendment was rejected.

Mr. GUDGER. Mr. Chairman, after many years of fruitless agitation in and out of Congress on the subject of national aid in the building of good public highways we have come at last to the point of action, and my assertion in this House a few weeks ago that a majority of its Members favor such legislation is to be verified in the vote on this amendment. Moreover, a record vote will show the "people" who are their real friends on this question, and it will also give proof that those who in season and out of season have contended for this forward step in public policy have not and can not be driven from their position by being called "dirt-road statesmen" or any like epithets.

We are making a logical beginning by providing for this national aid in a Post Office appropriation bill, for in the constitutional power to establish post roads is necessarily included not only the authority, but by implication the mandate, to construct such roads. In the proposed legislation lies the expressed recognition—I might say the first recognition—of the right of our agricultural population to this aid from the National Treasury.

It is in no spirit of caviling that I say that the Government, with well-nigh unmeasured liberality, has poured out hundreds, nay, thousands of millions of dollars that have benefited directly or indirectly every class of people except the farmer. Since the foundation of the Government we have given hundreds of millions for the erection of public buildings in cities large and small. We have given nearly three-quarters of a billion dollars for the improvement of our rivers and harbors, and I am heartily in favor of a continuance of such appropriations. We shall have spent \$400,000,000 on the Panama Canal by the time that great waterway joining the two great oceans is completed, and shall be called upon to spend annually large sums of money for its maintenance. It is the greatest public work of all the ages, undertaken by the greatest Republic of all time. It is an enterprise worthy and typical of a great people.

In the 136 years of our national life the Government has spent a pitiful \$14,000,000 on the building and improvement of public highways, and not a cent of this money, be it remembered, has been appropriated or spent within the last 55 or 60 years. So we see that practically nothing has been done by the National Government to lighten the burden which execrable roads have laid upon the farmer. The Secretary of Agriculture has stated in his official reports that it costs the farmers of the United States not less than \$600,000,000 a year to haul their product to market. He has also said that if we had in this country public roads as good as those of France it would save our farmers two-thirds of that enormous sum. Just think of it! They lose by bad roads in one year as much as the total cost of the Panama Canal.

The farmers have been patient and long suffering. They have a right to demand that something be done in which they have a direct pecuniary interest. In their modest way they and their spokesmen have made their pleas for a beginning at least of that national improvement which this amendment will set on foot. There is no element of our population more patriotic or self-sacrificing. From the day when "the embattled farmers" fought the great fight for independence down to this day they have stood on every battle field of the Republic and given added luster to the fame of American heroism. They have never hesitated to pledge their lives, their liberties, and their sacred honor to the cause of their country, and have never failed to redeem that pledge. They have always given much, and have always received but little.

Let me say right here that the individual States have not been derelict in this matter of public-road building. The Office of Public Roads of the Department of Agriculture recently issued a tabulated statement showing the amounts which each State had appropriated in 1911 for this purpose, and the sum total of these appropriations was nearly \$160,000,000. Of the taxes required to pay this sum, principal and interest—for a great part is represented by bond issues—the larger part will have to come from the farmers. But the States can not and should not carry on the tremendous work of building good roads throughout the length and breadth of the land without national aid. There are about 2,200,000 miles of public roads in the United States of which only 8 or 9 per

cent are improved. This leaves 2,000,000 miles to be put in condition, approximately, at least, as good as that of the best roads of France. Good macadamized or sand clay roads cost from \$2,000 to \$4,000 a mile.

The undertaking before us is one of a magnitude proportionate to its importance. It can not be accomplished in its entirety in less than half a century, perhaps even more than that. But a beginning can be made, and if the work is carried on systematically year after year with such assistance from the Government as the circumstances of the situation fully warrant it will not be long before in each State the farmers will be cheered by the prospect of better roads, and so from year to year some of the burden will be lifted from off their shoulders.

Neither the States nor the National Government will be the loser by generous expenditure for public-road construction, for the money will come back in time through the increase in the taxable value of farm lands. This is not a speculative statement, but is based on the experience of landowners in whose vicinity road improvement has been carried on. The price of farm land in those favored precincts is reliably stated to have risen 25 per cent an acre as soon as good roads were begun to be built. Just think how it will thrill the farmer's heart when he finds not only the value of his land increased by one-fourth, but also finds the cost of marketing his produce reduced by one-half to two-thirds. These are not day dreams, Mr. Chairman, they are "frozen facts."

It is nearly 10 years since the National Good Roads Association presented to the Senate Committee on Agriculture a brief which contains so many truths applicable to this day that I shall quote from it just a few paragraphs:

It has been asserted by those who ought to know that 90 per cent of the revenues of the Government of the United States is spent in the great cities on public buildings, the construction of battleships, in furnishing munitions of war, and for the improvement of rivers and harbors, but less than 10 per cent is spent in the country, although these people have furnished more than half the revenues of the Government. It is not right; it is not just.

Whatever makes for the agricultural prosperity and development of the country also aids other industries in the land. All classes rely upon good crops for prosperity. The banker, the manufacturer, the ironmaster the lumberman, and even the professions feel the influence of good crops and the depressing effects of bad ones. * * *

The economic benefits to be derived from systematic and scientific road construction is the saving of a large sum of money now spent on improper methods of repair and construction, together with much that would be saved in transportation by carriages, wagons, etc. Great as these benefits would be—and they are the ones which first appeal to the minds of most persons—there are other benefits to be derived from good roads throughout the country which can not be estimated in dollars and cents, but which are of infinitely greater importance and value. It is a perplexing problem now as to how to provide for the ever-increasing numbers in the already densely thronged cities. And this condition is becoming more and more a menace to our social institutions. Unquestionably the remedy is to make the country more attractive to keep the people on the farm.

This, Mr. Chairman, brings us to another most important phase of the question of good roads—the social phase. We have been hearing much of late of the ever-increasing migration from the country to the city. It has reached such proportions that whereas a quarter of a century ago the proportion of the rural population to that of the cities was about 60 per cent, it is now only 46 per cent. This is an abnormal falling off, but its beginning dates back for more than 25 years, and when we look for the cause we shall not be long in doubt as to the remedy. It is the isolation due to poor roads.

This is a serious matter, Mr. Chairman, not for the farmer alone, but for all the people. The cost of living is immediately and intimately connected with it. If the depletion of the farming population continues and the population of the cities increases proportionately, it means that prices of everyday necessities will continue to rise, because the producing class grows smaller and the consuming class grows larger. If there were no other than this economic reason, it would be a powerful argument in favor of a movement tending to improve the conditions of farm life and thereby check the exodus from the farm and the resulting decrease in farm production. But there are many other reasons for favoring this movement—national aid in the building of public roads—and chief among them is simple justice to the farmer. Just as the Government makes life in the cities more agreeable by building fine edifices for the accommodation of the dwellers there, it ought to do its share in the work of relieving rural isolation.

In no manner can this be done more effectively than by the building of good roads.

The basic principle is compensation to be paid by the Federal Government for the use of the roads traversed by carriers in the Rural Delivery Service on roads to be divided into three classes:

1. Class A: The highest form of improved road in the country, for which it is provided that the Government shall pay at the rate of \$25 per mile per year.

2. Class B: A thoroughfare of high quality, but not equaling class A, for which it is provided that the Government shall pay at the rate of \$20 per mile per year.

3. Class C: The ordinary dirt road of the country, somewhat improved, for which it is provided that the Government shall pay at the rate of \$15 per mile per year.

It will be necessary in order to participate in the provision of this bill to have a standard road coming under one of the three foregoing classes. The beneficial effect of this measure will be observed in the immediate improvement of public highways.

The amendment looking to aid from the Government is not all I would wish for. It is a modest beginning, but it is a step forward. It will not take over \$25,000,000 annually from the Treasury. Its effect, however, will be manifold. It will stimulate the demand of the rural population for good roads and cause it to regard the financial burden thereby imposed as one to be welcomed because of the immediate, direct, and personal benefits. Intercommunication will be promoted; mails will come more frequently; haulage to the railroad station or nearest market town will not be at so heavy a cost on teams and rolling stock, and the marketing of crops can be carried on continuously instead of depending, as now it must, on the state of the weather and the consequent condition of the mud roads; the freight charges on goods delivered to the farmer will be lessened, and thus in many ways long-wished-for advantages will accrue.

The procedure proposed in this amendment is rational because the expenditure provided for will be directed to roads that are now not hopelessly unimproved, and again others so infrequently used that their improvement can be indefinitely postponed. It will call for the best thought of State and county authorities as to where improvement should begin and how it is to be conducted. There will be conferences and consultations with the Office of Public Roads, and systematic plans will be matured which are absolutely impossible under happy-go-lucky methods such as now too often prevail. It will be possible for us to look forward to the coming of the day when it shall no longer be said that we of the United States, while we have the most superb railways we also have the most execrable country roads.

Twenty-five million dollars a year for such a work is little enough when we consider what we shall accomplish with it. It is but one-sixteenth part of what the Panama Canal will cost, but with all the wonderful things that are expected from this monumental enterprise, I doubt if they will measure up, either in dollars and cents, or in national importance, to the wealth annually to be saved by improved roads and to the social and economic betterment that will spring from perfect highways.

In the debate on this amendment the old, old question of the constitutionality of national aid for public improvements construction has again been raised. I shall not enroll myself among the debaters except to say that it was thrashed out by the greatest minds this country has produced, and has been settled in the affirmative by the Supreme Court of the United States. My conscience as a maker of laws will be quite at ease on this point. I shall record my vote as often as need be in favor of this amendment, and of any other proposition hereafter that looks to "going it one better." And I shall scan with pardonable curiosity the final roll call to see how many of my colleagues representing rural communities were joined with me in this good fight, how many of our city brethren were willing to help our cause, and then who were they that failed to "come up to the scratch."

The year 1912 will be a notable one in the annals of our national life, but in no respect will it be more notable than that in it there was inaugurated—or shall I say revived—the policy of national aid in the building of public roads. The historian will be able to point to 1912 as the year in which the first important step was taken toward the establishment of a system of public highways such as our people long have hoped for. It will mark the beginning of a new social state for the farmer and his family. It will mean a lifting of burdens and changed conditions in many ways.

Speed the good work, all of you who have at heart the well-being of the "common people." A great light is shining and casting its rays far into the future to make bright the paths of generations yet unborn. My brethren, if you and I have nothing else on which to rest our fame as legislators for the public weal, we can safely point to speech and vote for good roads as the foundation stone of our work for those that sent us here. And I, for one, feel confident that they in turn will not fail to hold up our hands and commend us for our labors.

The CHAIRMAN. The question now is on the amendment of the gentleman from Missouri as amended.

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

On a division (demanded by Mr. FITZGERALD) there were—ayes 122, noes 39.

[Applause.]

So the amendment as amended was adopted.

Mr. RAINEY. Mr. Chairman, if there is any excuse for this class of legislation, it is that it will increase the good-roads mileage of the country. If that is the purpose of this legislation, then the amendment I have offered should be adopted. The so-called Shackleford amendment, which I seek to modify, provides for the immediate payment out of the Treasury of the United States, according to the report of the committee, of the sum of \$2,535,000 per year.

There are in the country 118,000 miles of roads over which rural routes pass which will be entitled at once to the payments provided in this measure. The Shackleford amendment, which we are considering, creates a great and expensive machine reaching out into three of the departments of this Government for the purpose of taking from the Treasury \$2,535,000 per year, this amount to be distributed each year, not for the purpose of increasing the mileage of the good roads of the country but for the purpose of making donations to those road districts of the country where land is valuable and where good roads have already been built.

Class A roads in this measure are the brick, shell, and macadam roads of the country properly graded and crowned. Class B roads are the burnt clay or gravel or sand and clay roads of the country properly constructed and properly drained. Class C roads are the properly constructed and crowned dirt roads of the county. At present there is a total of 118,000 miles of improved roads coming within these classes over which pass rural routes. These roads were improved because the people who lived in the neighborhoods where the roads were located wanted them improved. They were not improved for the purpose of obtaining donations from the Treasury of the United States. The two and one-half millions per year we propose now to donate to them operates as a reward to those particular communities for the progressive spirit they have displayed. If we are to reward out of the Treasury communities on account of having displayed a spirit of progress, there will not be much money left in the Treasury at the end of a few months of a policy of this kind.

The amendment I have offered excludes from the operation of this law all roads now improved and in these classes and used for rural routes. Whenever a class B road is improved so that it becomes a class A road, then from that moment my amendment applies. Whenever a class C road is improved so as to become a class A or a class B road the amendment I have offered then extends the proposed aid to the road districts where such road is located. Whenever a road used as a rural route and not belonging to any of these classes is improved so that it comes within one of them, by my amendment, from the time this road enters class A, B, or C, the road districts through which it passes are entitled to the proposed bonus from the Treasury.

It is objected that this is unfair for the reason that it taxes communities which have already built good roads and takes the money so raised and gives it to communities which have not yet built roads that are entitled to the classification set out in this bill.

But in reply to that I might call attention to the fact that only a portion of the total road mileage of the country is used by the rural routes, and a very large portion of the total road mileage of the country never will be traversed by rural routes. If the Shackleford amendment becomes a law, we tax those sections which have no improved roads at all, and we take the money we so get from them and pay it to those communities which have now or shall hereafter have good roads traversed by rural routes, and we tax those sections which do not now have rural routes and which never will have rural routes and give the money so raised to those sections which are so fortunate as to enjoy rural mail service. There is absolutely no equitable way in which money can be distributed from the Treasury of the United States so that all will be equally benefited. If the Government goes into the good-roads business, it ought to go into it on the theory that roads are to be improved, not for the purpose alone of benefiting the landowners who live along the rural routes, but for the purpose principally of furnishing cheaper transportation from the farms to the railroad stations, and therefore from the farms to the great centers of population. Transportation as an economical factor is quite as important as production.

We are distributing at the present time from the Treasury nearly \$2,000,000 for the relief of flood sufferers along the Mississippi River and its tributaries and for the purpose of repairing breaks in levees. Sections along the rivers where there are

levees which did not break in the last few weeks get none of this fund. They do not get it because they do not need it. According to the theory of the Shackleford amendment the Government ought to take the \$2,000,000 now being distributed for the purpose of relieving the conditions caused by the recent floods and divide it into equal portions and distribute it along the entire mileage of the rivers, among all the levee districts, whether the levees protecting the districts broke or not.

We are being asked to appropriate many millions of dollars for the purpose of providing a deep-water harbor for Philadelphia, as deep as the harbor of New York. Some day this work will be undertaken by the Government. Under the theory of the Shackleford amendment, if we expend these millions of dollars for the purpose of deepening the harbor of Philadelphia we should also give to the other cities along the coast the same amount of money, whether their harbors need deepening or not.

The Shackleford amendment proposes to pay out money for the purpose of inducing communities to do that which their prosperous condition has already enabled them to do, and the two and one-half millions per year with which we start these appropriations, if the Shackleford amendment is adopted, absolutely continues for all time as an annual reward to those communities which have already built good roads on account of having in the past built them. Such a raid on the Treasury as this can not be defended upon any theory that occurs to me. If we are to have legislation of this character we ought to have it for the purpose of increasing the good-roads mileage of the country, not for the purpose of rewarding communities which have already built good roads or for the purpose of reimbursing them from the Public Treasury on account of money they have already expended. Millions ought not to be taken from the Treasury for the purpose of accomplishing that which has already been done. Money ought not to be taken from the Treasury for the purpose of extending aid where aid is not needed.

The number of miles of State roads now traveled by rural and star route carriers is said to be about 1,179,000. It is estimated that the mileage in class A will ultimately be 35,000; in class B, 83,000 miles; and in class C, 1,061,000. It is claimed that whenever all the roads now traveled by rural and star route carriers are improved so that they come within the above three classes the amount per year a bill will carry under the Shackleford amendment will be \$18,450,000. However, only a small proportion of this aggregate mileage is in condition to receive immediate compensation, only about 118,000 miles, but I respectfully submit that this 118,000 miles ought not to be entitled to any payments under this bill. I do not think anything like the total mileage now traveled by rural and star route carriers will ever be improved so as to come within these classes, but as the years pass there will be a demand for modifications of this classification, which will probably be agreed to, so that roads which can not now be classed in any of these classes will get the benefit of donations from the Treasury, and ultimately a scheme for Federal aid will be carried to roads not traversed by rural routes.

If the roads of the country improve there is no limit to the amount that may a few years from now be taken out of the Treasury on this account, especially if the spirit of the Shackleford amendment is to prevail. If roads that are now improved and come within the classifications fixed in this measure are to receive donations from the Treasury it will not be long until this generous tendency to equalize things will lead to the adoption of other classes and appropriations from the Treasury for the roads embraced in the new classes so created. If we are to enter upon this dangerous career it is better, I submit, to enter upon it simply for the purpose of adding to the mileage of the good roads of the country. If my amendment prevails we can, I think, with greater safety embark upon this policy if we propose to adopt the policy of Federal aid for roads.

I am an advocate of good roads. I believe in the policy. In my judgment, good roads, by cheapening transportation to railroad stations and to navigable rivers, will decrease the cost to the consumer in the distant city of the products of the farm. I yield to no man in my advocacy of good roads. I do not, however, regard the Shackleford amendment as a desirable good-roads measure.

I am not just at present advised as to the cost of a class A road. It would probably not be under \$8,000 or \$10,000 per mile. A rural route 20 miles long, to come under class A, would therefore cost from \$160,000 to \$200,000. Does anybody believe that the road districts through which a 20-mile rural route passes—and it may pass through several road districts—can unite upon a policy for creating for 20 miles through these districts a class A road in order to get from the Treasury of the United States the paltry sum of \$25 per mile. Or, if the Sherwood amendment can be so construed as to apply to each sepa-

rate mile traversed by a rural route, does anybody believe that any road district can be persuaded, in order to get \$25 per year from the National Treasury, to expend from \$8,000 to \$10,000 per mile in building a mile of class A road? Class B roads would cost almost as much.

I do not know what a class C road would cost, but it would probably cost \$2,000 or \$3,000 per mile on an average. Does anybody believe that in order to get \$15 a mile per year a road district would expend \$2,000 or \$3,000 per mile for a road?

In my judgment, as an inducement to build good roads this measure fails. Almost as many good roads will be built without it. As a method, however, of reimbursing to the amounts per mile mentioned in the Shackleford amendment those road districts in the country which have already built roads which can be classified under the Shackleford amendment, it is a measure that will meet, in all probability, with the approval of those particular districts and will have the undoubted effect, while it can not aid in inducing these districts to do what they have already done, of taking from the Treasury the sum of two and a half million dollars per year. As a method of draining the Treasury it would be a success. As a method of adding to the good-roads mileage of the country it will not, in my judgment, have much effect.

If my amendment is adopted, the good-roads proposition we are considering will cost the country nothing at all to start with, and as roads are constructed or improved hereafter so as to bring them within the provisions of the bill the payments will commence; and I think the adoption of this amendment will have the effect of preventing in the future a further and more liberal classification which will permit money to be taken from the National Treasury for the purpose of aiding road districts which have built roads not as good as those contemplated now in the proposition we are considering.

Money gets into the Treasury of the United States only as a result of taxing the people indirectly. Indirect taxation is the most expensive and the most burdensome of all. It means that the people are taxed five or six dollars every time one dollar is by these methods covered into the Treasury. I therefore am opposed to the spirit of the Shackleford amendment, which provides, in its last analysis, merely an avenue through which money may be taken from the Treasury for the purpose of rewarding and reimbursing communities which have already done that which its proponents claim this bill is framed for the purpose of inducing them to do.

The amendment which I propose reads as follows:

Insert, after line 13, on page 3 of the Shackleford amendment, the following:

"Provided, That no compensation shall be paid by the Government for roads now falling within classes A, B, or C, except as follows: The compensation above mentioned shall be paid on all class C roads which shall hereafter be improved so as to fall in class A or B, said compensation to be due from the time said road falls within class A or B as fixed above for said class A or B; on all class B roads hereafter improved so as to fall within class A, the compensation provided for above shall be paid from the time said road falls within class A at the rate fixed for a class A road; all roads not now falling within any of said classes shall whenever they are so improved as to fall within class A, B, or C be entitled to the compensation provided for above from the time said road falls within either of said classes at the rate fixed for said class."

Mr. BARNHART. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After line 15, page 28 of H. R. 21279, insert the following:

"That it shall be unlawful for any person or persons, or association or corporation, to enter or to have entered into the mails of the United States any newspaper, magazine, or other periodical of like kind, unless such publication shall have plainly printed in a conspicuous place therein the name or names of the managing editor or managing editors, the name or names of the publisher or publishers, and the name or names of the owner or owners, including all stockholders owning stock of the par value of \$500 or more of such periodical publication. Any person, association, or corporation that shall violate any provision of this act shall be punished for each violation of any provision thereof by a fine of not less than \$100 nor more than \$1,000."

Mr. BARNHART. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARNHART. Would it be in order for me, under the rule authorizing the consideration of this amendment, to offer a substitute?

The CHAIRMAN. No.

Mr. BARNHART. Then, Mr. Chairman, I ask unanimous consent that the following substitute be considered instead of the amendment just read.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to consider the substitute in place of the amendment provided for in the rule. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

As an amendment to the amendment, after line 15, page 28 of H. R. 21279, insert the following:

"That it shall be unlawful for any person, association, or corporation to enter or deposit, or to have entered or deposited, into the mails of the United States any newspaper, magazine, or other periodical publication of like kind published in the United States, unless such publication shall have plainly printed in a conspicuous place therein the name or names of the managing editor or managing editors, the name or names of the publisher or publishers, and the name or names of the owner or owners, including the name or names of the owner or owners of stock, bonds, or other securities, to the amount of \$500 or more, which have been issued or sold by the said person, association, or corporation owning or controlling such publication and which may be outstanding. Also all editorial or other reading matter published in any such circulating periodical for the insertion of which money or other consideration is accepted by the publisher or publishers shall be plainly marked "advertisement" or signed by the name or names of the person or persons in whose interest or interests such article is published. Any person, association, or corporation that shall so enter or deposit, or have entered or deposited in the mails of the United States any such newspaper, magazine, or periodical publication of like kind in violation of the foregoing provisions shall be guilty of a misdemeanor and be fined in any sum not less than \$100 nor more than \$1,000 for each offense."

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

Mr. BARNHART. Mr. Chairman, this substitute to the amendment contains three distinct propositions. The first is that before any newspaper, magazine, or other periodical publication published in the United States shall be admitted to the United States mails it must contain the name or the names of the editor, the owners, stockholders, and other security holders printed on a conspicuous page of each issue thereof. The second proposition—

Mr. MOORE of Pennsylvania. Mr. Chairman—

Mr. BARNHART. I can not yield just now. I want to explain my amendment.

The second proposition is that no periodical publication of like kind shall accept for pay any editorial or reading-matter notice in behalf of any person or proposition unless the same contains plainly printed or attached thereto the word "advertisement" or the name or names of the person or persons in whose interest or interests such publication is made. The third distinct proposition is that any periodical editor or owner who violates any of the provisions of this act shall be fined in a sum of not less than \$100 or more than \$1,000 for each and every offense. Such, in brief, is the substance of the amendment.

And now just a word in behalf thereof. All over this country, during recent years at least, there has been a growing suspicion in the minds of the reading newspaper public that at least certain publications are being controlled by evil influences and are being so controlled by subterfuge. That is to say, that interests that wish to promulgate their ideas or "boost" their own interests secure control of some newspaper or magazine publication and issue it anonymously. Only to-day I hear that one of the new States recently admitted to the Union in its legislature is making provision that no newspaper published therein can accept any legal advertising until the names of the editors and owners of the publication are known. Every day we see suspicious circumstances and we hear rumors. I do not know that they are true, but I do know this, that these rumors that certain newspapers are controlled by certain corporate and other interests are unfair to the honest and legitimate newspaper men of the United States.

I also say that the people of the country have a suspicion that they are being imposed upon by men in the newspaper profession who are sailing under false colors, and they have a right to know the source of the editorial sentiment that is given to them. And another thing, on behalf of the newspaper-publishing fraternity of the United States, I appeal to you, sirs, that every honest editor and every deserving newspaper, or periodical, rather, in this country will approve a method which will compel the editorial endeavors of the country to stand out in the broad sunlight of day in order that everybody may see who they are and what they are. The reading public of the United States is entitled to know who is who before it decides what is what.

Mr. MANN. Will the gentleman yield?

Mr. BARNHART. I will.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BARNHART] has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I call the attention of the gentleman to a proposition which he said he had covered in his substitute, but I think has not quite covered it. Under the amendment of the gentleman anyone who deposits any paper in the mails, al-

though they put it in a wrapper with full postage upon it, would be liable to a penalty of \$100 unless that paper contained the information required in the amendment. Take, for instance, the Sunday magazine that comes with a large number of the papers now. Under the gentleman's amendment if anybody should wrap one of those magazines up and deposit it in the mails they would be subject to a penalty of \$100, because those magazines do not and are not required to contain the information which would be contained in some other part of the paper. Would not the gentleman accomplish all he wants to accomplish if he should provide that his amendment would only relate to matter deposited as second-class mail matter?

Mr. BARNHART. I just called up within the last half hour the Post Office Department and they made the suggestion that, in order to avoid complications with foreign publications that might come in, the words "United States publication" should be inserted.

Mr. MANN. That covers the question of the foreign papers, to which I called the attention of the gentleman on the floor awhile ago, but that would not cover the matter of mailing a part of the newspaper or a Sunday magazine.

Mr. BARNHART. Will the gentleman let me explain? I think I can make that matter clear to him in a few words, as every newspaper man on this floor will bear me out. It has been the custom for a good many years to take advantage of the reading public by the very process that the gentleman now suggests, and that is to say, that to certain small newspapers throughout the United States certain publishers will say, "We will furnish a beautiful colored supplement free of charge," and it will be an attractive feature and will run along for a month, say.

Eventually the very interests that are back of that supplement will develop and the reading matter therein is objectionable; but inasmuch as your contracts have been made, you must circulate it the year out for which you have contracted, and thereby you are giving out to your readers editorial sentiment of a kind that no honest and careful and fair-minded editor wants to put out.

Mr. MANN. The gentleman does not get the point that I am making. He has directed his penalty against an individual wrapping up a newspaper or a part of a newspaper and putting it in the mail.

Mr. BARNHART. Just one minute. If the name of the publication is printed on that Sunday magazine—for instance, supposing it should be the Chicago Tribune—they would make up a supplement of the Chicago Tribune and mark it "The Chicago Tribune supplement" or "magazine," the same as the Post Office Department requires all papers mailed to be marked, and it could go through the mail without question under this amendment.

Mr. MANN. Oh, it could go through the mails when it comes from the Tribune office with the rest of the paper, but suppose I myself should mail it—suppose I should mail that supplement merely. Does the gentleman want to subject me to a fine of \$100 for sending this Sunday magazine through the mails to somebody who does not have reading matter in his home? That Sunday magazine does not contain the information required under this amendment, and still the gentleman puts in a penal provision against anyone mailing anything that does not contain the information prescribed. The information would be given in some other part or section of the Tribune which I did not mail. I would like to ask the gentleman if he does not cover the whole question when he covers the use of the second-class privilege?

Mr. COX of Ohio. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Ohio?

Mr. MANN. Certainly.

Mr. COX of Ohio. Then the gentleman's objection would hold against this sort of a situation: Suppose that a statement with reference to the persons who owned the stock was printed in the Chicago Tribune, and suppose that was published on the editorial page, where it would probably be published. Then, according to the gentleman's theory, if some distinguished gentleman of this House, say the gentleman from Illinois [Mr. MANN], had made a great speech, and it was carried on the second page of the Chicago Tribune, no one could send that page through the mails?

Mr. MANN. Not without being penalized.

Mr. BARNHART. Oh, it would not be subject to such a construction, because the fact is distinctly set out that it is a part of that publication, because the name of the publication is carried on every page. The requirement of the amendment is that this should be printed on only one page. The man who gets that part of the paper suggested by the gentleman from Ohio [Mr. Cox], if he were interested to know who the owners

or publishers are, could go out and buy a copy of the paper of that date and see those names printed in a conspicuous place therein. According to the gentleman's theory, the publisher would have to print those names on every page of the paper simply because somebody might tear the pages apart or take the sections apart.

Mr. MANN. No. I take as an illustration the Sunday magazine, because it is in fact a periodical. The gentleman's amendment reads:

It shall be unlawful for any person to deposit in the mails of the United States any newspaper, magazine, or other periodical publication of like kind.

Mr. BARNHART. It does not say any part of a publication.

Mr. MANN. Oh, the Sunday magazine could not be deposited lawfully in the mails under this provision unless the owners of the publication had their names plainly printed in a conspicuous place thereon. Under the gentleman's contention the Chicago Tribune might print a supplement which it did not mail at all, and print the required information on that.

Mr. BARNHART. I will say to the gentleman that neither the Chicago Tribune nor any other publication in the United States can mail out a supplement unless that supplement contains the name of the publication through which it is circulated. As soon as it has that name printed on it it becomes just as much a part of the publication as any other part could be.

Mr. MANN. According to the gentleman's notion, every part of the publication that goes through the mail must contain the information, otherwise he would have to pay the penalty attached. Under this provision you can not deposit in the mails any publication, periodical, or magazine that does not contain this information.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the time of the gentleman from Indiana [Mr. BARNHART] be extended five minutes. Is there objection?

There was no objection.

Mr. BARNHART. Now, Mr. Chairman, the difficulty with the gentleman from Illinois seems to be that he does not seem to be familiar with the fact that under the present post-office regulations every part of a newspaper publication must contain somewhere on each page the name of that publication—that is to say, if a supplement is inserted along with the rest of the paper—

Mr. MANN. That is not my difficulty. I was well aware of that; as much so as the gentleman from Indiana.

Mr. BARNHART. Then why would this provision subject you to a penalty if you took a part of that newspaper and mailed it? There is no prohibition in that provision against mailing any part of a legally published newspaper.

Mr. MANN. These Sunday magazines are such a periodical under the description of the gentleman's amendment.

Mr. MARTIN of South Dakota. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from South Dakota?

Mr. MARTIN of South Dakota. As I understand the contention of the gentleman from Illinois [Mr. MANN], it is based on the statement that the Sunday magazine is a periodical.

Mr. MANN. It is a periodical.

Mr. MARTIN of South Dakota. Then, if it is a periodical, if it were put by the publisher into the same mail with the daily paper, would not the publisher be subject to the same penalties under this act as a private individual would?

Mr. MANN. I do not think so. It may be sent out separate from the daily paper—separate from that section or part where the information prescribed by this amendment is contained.

Mr. MARTIN of South Dakota. Then the gentleman's contention is that if you send out any part of the Chicago Tribune without the page that contained the names of the owners or stockholders you would be subject to a penalty?

Mr. MANN. Practically so. If the gentleman means that the daily papers can not be sent out unless the whole is sent out in the mails, he gives away his whole case, because any paper that had a supplement might not send that supplement through the mails.

Mr. FOSTER. Does the gentleman claim anyone who mails it would be subject to a fine—any part of it?

Mr. MANN. Yes; any part of it.

Mr. FOSTER. Even a clipping?

Mr. MANN. He would. If it is a publication, he would. I do not undertake to say whether it would be so as to a clipping or not, but he certainly would be required, in prosecuting a case,

to prove that the whole paper as it was entered in the post office in the regular distribution by the publisher was sent out.

Why does the gentleman want to apply this to an individual who mails something and knows nothing about what the law is?

Mr. BARNHART. I have no objection to putting this in. I think it is entirely superfluous, though.

Mr. MANN. I have seen many laws construed that were considered superfluous—

Mr. BARNHART. I want this amendment made water-tight, if it is possible to make it so.

Mr. FOSTER. If it does not kill the gentleman's amendment.

Mr. BARNHART. I inquired of the Post Office Department, and they said that the mention of second-class matter might possibly exclude foreign publications, and that is what I wish to avoid.

Mr. BUTLER. The gentleman's purpose is publicity?

Mr. BARNHART. Yes.

Mr. MANN. The gentleman has excluded foreign publications by his amendment already.

Mr. BARNHART. No.

Mr. MANN. My proposition would not exclude them.

Mr. BARNHART. Well, the gentleman evidently did not listen to the reading of my amendment.

Mr. MANN. I both listened to the reading and went and looked at it.

Mr. BUTLER. As I understand the gentleman's amendment, it will require the publication of these stockholders every day, if the paper is published every day?

Mr. BARNHART. Yes.

Mr. BUTLER. The full list?

Mr. BARNHART. Yes.

Mr. BUTLER. Now, suppose there are a thousand stockholders or bondholders having an interest exceeding \$500, every publication of the newspaper must require that list to be published. Would not that be a burden upon the publisher? Could we not get the same publicity by publishing the list once a month?

Mr. BARNHART. That would eliminate the very purpose for which the amendment is offered, and that is to enable a person who reads a newspaper or magazine—who reads an editorial which strikes him as peculiar—to turn and see who is back of the sentiment that he reads. You can set about 60 names to the inch in small or nonpareil type in a newspaper. There are very few newspapers that would require more than a few inches. It might be a hardship in some cases, but not in many.

Mr. BUTLER. We do not all read the same newspapers, of course, but everybody reads some newspaper year in and year out. I think that is the habit of the American people. Therefore we could obtain this information without having it published every day. I am not quarreling with the gentleman's amendment at this time. Yet I think we ought to consider the rights of publishers; whether this is not a great burden to require them to publish this list of stockholders every day.

Mr. BARNHART. How many newspapers does the gentleman from Pennsylvania surmise there are in the United States that have 500 stockholders owning more than \$500 worth of stock?

Mr. BUTLER. I do not know, but I would be willing to take the gentleman's judgment on it, because he is better informed than I am.

Mr. BARNHART. As a rough guess, I would not suppose there are 50 in the United States. Where the stock of newspapers is distributed for the purpose of encouraging the newspaper, the stock is usually issued in very small denominations and sold accordingly. I have no doubt that many of you men have taken stock in newspapers, but you do not often take it in larger amounts than \$500. There is a controlling interest of 51 per cent, and the general public takes the 49 per cent in small denominations. That is the way such things are done.

Let me say further that there are newspaper publishers and magazine publishers in the United States who go about exploiting get-rich-quick schemes. They publish newspapers and offer stock in various ways to the subscribers, and they fleece the public generally. That is another reason why I should like to have these names published, so we will know who is who as to promoters of that kind.

Mr. POWERS. Will the gentleman yield?

Mr. BARNHART. I will yield to the gentleman.

Mr. POWERS. Unless the provision goes through as the gentleman from Indiana has provided, would it not be possible for a private individual to let the newspaper publish whatever he might want published, leaving out the names, which is provided for by the gentleman, turn it over to the private indi-

vidual, and let the private individual mail it, and thus escape the penalty?

Mr. BARNHART. If the gentleman from Kentucky will tell me how the evasion could be stopped, it might be considered. I confess that these things could be done.

Mr. POWERS. I am in support of the gentleman's proposition. What I ask is that unless it goes through as the gentleman has framed it it looks to me that it is possible to send out a publication by this circuitous route; in other words, by letting the newspaper publish it and turning it over to the private individual, and then the private individual would not be subjected to the penalty unless it stands as the gentleman has framed it.

Mr. BARNHART. I can see how that might be done, but I have never found any way yet to prevent a man from evading the law if he sets out to do it and will take the risk of doing it.

Mr. MOORE of Pennsylvania. Will the gentleman from Indiana answer this phase of the question?

Mr. BARNHART. I do not know whether I can or not.

Mr. MOORE of Pennsylvania. Will the \$500 limit reach the purpose that the gentleman aims for? You are after the crooked newspaper proprietor or the designing man in the ownership. Will your \$500 limitation reach that man? In other words, you have a million-dollar corporation, which may do business on an authorized capital, say, of \$1,000. How are you going to get the real but scheming proprietor—the man you are after—by fixing this limit at \$500?

Mr. BARNHART. If the men are holders of the securities, they are liable.

Mr. MOORE of Pennsylvania. Then, had you not better publish all of the names?

Mr. BARNHART. Such was my original amendment, but when the Committee on Rules got through with it they had changed it. I suppose, after consultation, it was seen, as has been repeatedly submitted to me, that it would be almost impossible where a publication has general community or fraternal stockholders to publish all of them—

The CHAIRMAN. The time of the gentleman has again expired.

Mr. ALLEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After the word "outstanding," in line 13 of the substitute, insert the following:

"Provided, That in the case of newspapers published daily, or daily except Sunday, it shall be sufficient to publish said names once a week on the same day each week."

Mr. ALLEN. Mr. Chairman, I want to say at the outset that I am heartily in accord with the spirit of the Barnhart amendment. It is a good thing, since the object to be attained is to give the public notice as to who are the owners and editors and who the owners of the bonds or other securities of the various newspapers. Now, there are days during the week, for instance, the Saturday and Sunday issues of the daily morning newspapers and the Friday issues of the daily afternoon papers, when space is very valuable. Advertising matter and news matter are frequently crowded out on these days. They print as close to the margin as possible, eliminate date lines, and use fine print, and what would be convenient for them to publish on Monday or on Tuesday or on Wednesday would be most inconvenient and a hardship to publish on Friday for the afternoon papers and on Saturday and Sunday for the morning papers. It seems to me that a publication of these names once a week would meet every requirement for publicity. That is the usual provision for all legal notices. Now, to meet the statement of the gentleman from Indiana that a person on a train reading an item or editorial ought to know who is responsible for the sentiments therein expressed. I would say that if their names should not appear in that issue it is a very easy matter to drop a postal card or a letter to the publisher, or any news dealer, or to the postmaster of the place of publication to forward a paper of the date containing the list of owners, editors, and so forth.

So I say, Mr. Chairman, that as this amendment will meet all the requirements of publicity and at the same time not work a hardship on the publishers, for I can say that it will be a burden on the two or three days I have mentioned, I hope that the amendment will be agreed to.

Mr. CANNON. Why does not the gentleman make it once a year?

Mr. ALLEN. Oh, there would be no publicity in that.

Mr. CANNON. In other words, the gentleman is one-seventh righteous and six-sevenths wicked. [Laughter.]

Mr. ALLEN. Well, I think I at least measure up to the gentleman from Illinois on the purity or dross test. [Laughter.]

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

The question was taken; and on a division (demanded by Mr. FOSTER) there were—ayes 64, noes 36.

Mr. FOSTER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed the gentleman from Ohio, Mr. ALLEN, and the gentleman from Illinois, Mr. FOSTER, to act as tellers.

The committee again divided; and the tellers reported—ayes 73, noes 64.

So the amendment was agreed to.

Mr. MARTIN of South Dakota. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend by striking out the words "to the amount of \$500 or more."

Mr. MARTIN of South Dakota. Mr. Chairman, under the amendment just adopted by the committee the publication provided for by the gentleman from Indiana [Mr. BARNHART] is to be limited to once a week. I think it was very doubtful indeed whether the provision requiring only the names of those owning over \$500 of stock or securities to be published could not have been avoided by placing large interests in the hands or names of numerous persons simply for the purpose of holding. If this provision is to be effectual at all, and we provide for publication only once a week, we ought to have the whole information and strike out the limitation which would limit it to stockholders or persons interested to the amount of \$500. My amendment therefore simply strikes out those words "to the amount of \$500 or more," and would provide that this weekly publication, when it does appear, should give absolute and complete information as to the names of all persons interested in the stock, bonds, or other securities of the publication.

Mr. LONGWORTH. Would the gentleman be willing to accept an amendment limiting it to \$100 or more?

Mr. MARTIN of South Dakota. No.

Mr. MOORE of Pennsylvania. Would it not be possible under the provision limiting it to \$500 for those who are responsible to put the stock in the name of some one else?

Mr. MARTIN of South Dakota. I already stated that. I think that was an unfortunate limitation to begin with. It could be avoided by simply having the stock or interest in the names of several nominal owners and not the real owner, when the real ownership was in some syndicate or individual having the legal title to the property.

Mr. MURDOCK. Does not the gentleman understand that the author of this whole proposition is in favor of the amendment offered by the gentleman from South Dakota?

Mr. BARNHART. Yes, Mr. Chairman; I accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Dakota.

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

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

The Clerk read as follows:

Amend the amendment by inserting, after the word "corporation," in the second line thereof, the words "publishing any newspaper, magazine, or other periodical of like character," and after the word "any," in the third line, insert the word "such."

Mr. GREEN of Iowa. Mr. Chairman, the object of this amendment to the amendment is simply to limit the penalty to the parties who publish the magazine, newspaper, or periodical. As the substituted amendment now reads it provides that it shall be unlawful for any person, association, or corporation to enter or deposit, and so forth, any magazine, newspaper, or periodical, and so forth, so that if an ordinary individual in remailing a newspaper, magazine, or periodical should deposit it in the mail when such periodical violated the provisions of the amendment he would be subject to its penalties. If the amendment I have suggested be agreed to the clause would read, "that it shall be unlawful for any person, association, or corporation publishing any newspaper, magazine, or other periodical, to enter or deposit, or to have entered or deposited," and so forth.

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

Mr. GREEN of Iowa. Certainly.

Mr. CANNON. The publisher then could turn it over to the news agent or to any other agent who could mail it without any penalty.

Mr. BARNHART. Mr. Chairman, under the provisions of this amendment, it would be possible for a publishing company to publish the names of the editors and the owners of the publication, but still take the entire output to some individual who would have no stock in it, who could circulate it as his and use it as his own personal organ.

Mr. GREEN of Iowa. Mr. Chairman, I will ask the gentleman how he intends to prevent the penalties of this act from applying to the individual who, without knowing the contents of the newspaper, remails it?

Mr. BARNHART. First of all, the publishers and owners of the newspaper will not issue a publication unless it does contain these names; but if they do, the man who mails the publication will be in just the same situation as a man who accepts stolen property.

Mr. GREEN of Iowa. Mr. Chairman, no publisher of a magazine has ever undertaken to sell his entire output. It would be impossible for him to manage a magazine or newspaper in that kind of a way. No one but the publisher can avail himself of the privileges of second-class mail matter. The party to whom the output was sold would be compelled to pay fourth-class postage if he wished to use the mails to distribute the periodical. No regular publication could exist under such circumstances, much less could the newspapers flourish, which the gentleman from Indiana seeks to affect. His amendment can never become a law in its present form, and the amendment which I propose ought to prevail.

Mr. MANN. Mr. Chairman, the amendment offered by the gentleman from Iowa, I think, was to meet a situation to which I called the attention of the committee a few minutes ago. Under the amendment offered by the gentleman from Indiana, any person who mails a paper that does not have the information provided for in the amendment is subject to a penalty of not less than \$100. Now, what the gentleman desires to accomplish is to control the publication of papers that make avail of second-class mail privileges. What he does is to penalize individuals who mail papers and then you have a provision in this amendment which, apparently, would require every fraternal organization in the country to publish the names of all their owners, and that would apparently require the American Federation of Labor to publish the names of all its members, because its members are the owners of the publication and the members of the fraternal organizations are the owners of the publication. It is crude legislation, not called for, at least to the extent to which it goes; and the gentleman desires now to have a provision inserted in the law which does not even give the court a chance to allow leniency where no criminal intent was the purpose of the person violating the law, but a penalty must be imposed of \$100. The gentleman has changed his amendment now four times since it was first introduced, and it ought to be changed more, not only by the adoption of the amendment offered by the gentleman from Iowa, but by other amendments which shall accomplish at least the purpose of preventing that which the gentleman desires to prevent without attempting to penalize half the people of the country who mail papers in the post office and pay full rates upon them.

Mr. BARNHART. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the argument of the gentleman from Illinois would impress me more had it not been for the fact he has notified me from time to time that he is opposed to the amendment. The fact of the matter is that in a colloquy the other day with the gentleman from Illinois, when I announced that it was rumored that certain interests controlling a Chicago newspaper that probably supports him in his campaign, and I think it ought to do it—

Mr. MANN. I regret that it does not. [Laughter.]

Mr. BARNHART. When I suggested it was rumored that certain influences controlled that newspaper, he disputed it and said he knew that they did not control it. The purpose of these amendments, it seems to me, is to weaken this amendment and to destroy the effectiveness of it.

Mr. GREEN of Iowa. Will the gentleman yield for a question?

Mr. BARNHART. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. I wish to say I am entirely friendly to the amendment, and there was no purpose of weakening or impairing the amendment, but simply to provide that innocent persons who pick up a paper and mail it to a friend would not be subject to the penalty under this law.

Mr. BARNHART. We have been over that ground. I believe I have explained to the full satisfaction of the committee that this act would apply only to publishers of newspapers, because it stipulates that every newspaper publication must carry the names in that publication before it can be circulated through the mails. Of course, if it is sold on the streets or through news agencies that is another matter, but this amendment could not possibly apply to that sort of publication. It does not stop a man from circulating a handbill, but it stops the newspapers from circulating anonymously through the United States mails.

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

Mr. BARNHART. I will.

Mr. MANN. The gentleman just stated that he said the other day it was rumored that a Chicago paper was owned by a certain interest. Did not the gentleman state at the time that he knew that was a fact?

Mr. BARNHART. The gentleman stated he knew it was rumored.

Mr. MANN. I beg the gentleman's pardon, he stated he knew it to be the fact. I shall get the original statement from the stenographer's notes on the subject.

Mr. BARNHART. If the gentleman will get the original statement I made preceding his interruption he will ascertain that I said that these rumors were afloat, and in conjunction therewith I said that I knew it—

Mr. MANN. I would not have taken the trouble to contradict a rumor.

Mr. BARNHART (continuing). And I think if the gentleman had paid attention to what I said just previous to his interrogatory he would have understood it.

Mr. MANN. Strange to say, I had been listening attentively to the gentleman.

Mr. KENDALL. Maybe the gentleman was not in when the gentleman from Indiana was making his speech.

Mr. HILL. I would like to ask the gentleman a question. He has made no reply to the question of the gentleman from Illinois [Mr. MANN] in regard to this applying to fraternal organizations. It seems to me the language is clear and explicit that a paper or magazine published by a fraternal organization, or by a labor organization, under this amendment must have the names of all the parties having interest in it published according to the terms of this provision.

Mr. BARNHART. It does now. It did not previous to the adoption of the amendment striking out the \$500 limit.

Mr. HILL. It did not previous to the adoption of the amendment, but as it stands now every Odd Fellows' magazine in the United States would have to be published with the name of every member in the jurisdiction which used the magazine.

Mr. BARNHART. It does, and therefore I introduced my amendment providing that the names of all stockholders holding more than \$500 worth of stock be published.

Mr. HILL. But as it stands now they would have to publish them all?

Mr. BARNHART. They would have to publish them all.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

I propose to vote against the Barnhart amendment, because it serves unnecessarily as an entering wedge to the throttling of a free press. I want gentlemen to consider what they are doing when they vote away from a man who engages in the business of publishing a newspaper the right accorded to every other citizen and every other business man, to use the mails of the United States. You say if I am the publisher of a newspaper, whether it be a \$3,000,000 enterprise or whether it be a country weekly, I can not use the mails of the United States without revealing all my business interests to my enemies and to my creditors. You do not require that of any business man or of any corporation doing business independent of the newspaper business who uses the mails of the United States.

You want to ferret out the man who is responsible for writing an article you do not like, but you are going to deny him the use of the mails if his article does not suit your fancy. You deny him the right to circulate what he writes, the right to circulate free speech by the instrumentality of the postal service of the United States.

In Pennsylvania we tried to find out who the proprietors of the newspapers were in order largely that men might bring libel suits. We did that as a matter of State jurisdiction. But you propose to refuse to a man who is doing business in the United States, the right to use the mails which are guaranteed to all of us, because he does not conform to certain conditions which can be ferreted out in his own State, and for which he is responsible in his own State. [Applause.]

I do not think when you give this matter a second thought that you gentlemen on the other side will propose to invite the criticism that will follow the passage of this amendment. I do not think when you have heard from every country newspaper editor, to whom you have responded to-day by passing the roads-subsidy proposition, after you have confiscated a part of his property by requiring him to use his space publishing his business in a conspicuous place every week, you may find you have acted wisely in passing this amendment to-day. I am drawing it to your attention. I do not propose to vote for this amendment. If you want to go after an editor, sue him in your State. If you want to go after a man who is doing a newspaper business improperly, or who is violating the rights of incorporation, you have your remedy at home. You may do a great injustice by this general denial of that right which

is guaranteed to every other citizen of the United States—the right to do business through the post offices of this country. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Iowa [Mr. GREEN] to the amendment of the gentleman from Indiana [Mr. BARNHART].

The question was taken, and the amendment was rejected.

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

The CHAIRMAN. The gentleman from Georgia [Mr. RODDENBERRY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the amendment by adding after the word "outstanding," in line 12, the following:

"It shall also be unlawful for any person, or persons, or association, or corporation to enter or have entered into the mails of the United States any letter, circular, packet, newspaper, magazine, or other periodical of like kind, advertising or offering for sale, either directly or indirectly, any spirituous, malt, vinous, or other intoxicating liquors for transmission to or delivery in any State, county, municipality, or other civil subdivision thereof wherein the sale of such liquors is or may hereafter be prohibited by State or local law."

Mr. BARNHART. Mr. Chairman, I make a point of order against that amendment.

Mr. RODDENBERRY. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. RODDENBERRY. Mr. Chairman—

Mr. BARNHART. Mr. Chairman—

The CHAIRMAN. The Chair will hear the gentleman from Indiana [Mr. BARNHART] first.

Mr. BARNHART. The amendment, Mr. Chairman, is not germane. I have no argument to make, it is so clear. It has no reference to this question.

The CHAIRMAN. The Chair will ask the gentleman if his amendment does not prohibit certain classes of publications from going through the mails?

Mr. BARNHART. It provides a penalty for the same; yes, sir.

The CHAIRMAN. What is the difference between that and the amendment offered by the gentleman from Georgia?

Mr. BARNHART. It is entirely different, because it brings in a matter that has no relation to the Post Office Department.

The CHAIRMAN. The Post Office Department has exclusive jurisdiction.

Mr. MANN. Will the Chair permit me to call his attention to the fact that there is no heading on the amendment? Whatever heading there is is superfluous. There is no heading to the proposition authorized by the Committee on Rules.

The CHAIRMAN. The Chair will call the attention of the gentleman to page 21 of the engrossed copy that I have. I have not the printed copy. The only thing that refers to it is on line 15 of page 21, which reads as follows—

Mr. MANN. I say there is no heading. I thought the Chair referred to the heading covering the subject matter.

The CHAIRMAN. No. The Chair was talking about the amendment of the gentleman from Indiana [Mr. BARNHART].

Mr. MANN. I understand; but the amendment offered by the gentleman from Indiana is based on a provision of the rule, and there was no heading read to the House. I do not know what may be on the paper.

The CHAIRMAN. To what did the gentleman refer?

Mr. MANN. I thought the Chair referred to the heading on the amendment.

The CHAIRMAN. The Chair did not refer to a heading.

Mr. MANN. I beg the Chair's pardon.

The CHAIRMAN. The Chair will hear the gentleman from Georgia [Mr. RODDENBERRY].

Mr. RODDENBERRY. Mr. Chairman, the matter of the construction of the rule adopted by the House last week was fully considered by the Chair yesterday, and his ruling was made. Now, the amendment offered by me here follows precisely the ruling heretofore made and, as the Chair has well suggested, the pending amendment offered by the gentleman from Indiana [Mr. BARNHART] provides for a denial and prohibition of the use of the mails to a certain class of matter that is now mailable. The amendment that I offer denies admission to the mails of certain newspapers and other publications that are now admitted to the mails. The same penalty that is provided in the amendment offered by the gentleman from Indiana [Mr. BARNHART] will be provided in the amendment as submitted by me, to be considered now.

It is clearly germane. The amendment by the gentleman from Indiana is an amendment prescribing what is mailable matter. This amendment submitted by me prescribes what is mailable matter. The amendment I offer, dealing with the same class of

mail, provides whether or not it is mailable and, if so, under what conditions it is mailable.

It is so apparently germane, Mr. Chairman, that I do not see how the gentleman can seriously raise a question against it.

It was suggested by the gentleman from New York [Mr. FITZGERALD] yesterday that the rule is broader than that. I do not agree with the suggestion of the gentleman from New York, but my amendment is drawn to cover the particular subject matter now under consideration.

In reply to the gentleman from Indiana I will say that his only objection as stated is that it does not come under the jurisdiction of the Post Office Department. All letters, all circulars, all newspapers, all magazines are exclusively under the jurisdiction both of the postal laws and the postal regulations. The amendment I offer now simply changes the postal law as it now exists, and is entirely and certainly unanswerably germane to the pending amendment or to the pending substitute.

Mr. BERGER rose.

The CHAIRMAN. Does the gentleman from Wisconsin desire to speak to the point of order?

Mr. BERGER. No, sir.

The CHAIRMAN. The Chair is ready to rule on the point of order.

The gentleman from Indiana [Mr. BARNHART] offers an amendment which would provide for the exclusion from the mails of publications of a certain character. The gentleman from Georgia [Mr. RODDENBERRY] offers an amendment to the amendment, which provides for the exclusion from the mails of certain other classes of publications. The Chair thinks the amendment is germane, and therefore overrules the point of order. [Applause.]

Mr. RODDENBERRY. Gentlemen of the committee, I desire to address you for a moment touching this amendment. Certain States and certain counties—

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

Mr. RODDENBERRY. Certainly.

Mr. BARNHART. I would like to ask unanimous consent—not doing it out of the time of the gentleman from Georgia [Mr. RODDENBERRY]—to have the amendment read again.

Mr. RODDENBERRY. I would be glad if it could be read again.

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Georgia [Mr. RODDENBERRY].

The Clerk again reported the amendment.

Mr. RODDENBERRY. Gentlemen of the House, the object of this resolution is to give to the States and minor subdivisions of this country real and effective local self-government. My Democratic friends, who have been contending for a long time for the sovereignty of the States and local self-government, now have a chance to vote for it. [Applause.] My amendment, if adopted, will help make prohibition prohibitive. Heretofore we have been telling our temperance friends that we could not get the bill favorably reported out of the committee. I have availed myself of this parliamentary opening to bring this measure directly and squarely to a vote on the floor of the House. I appeal to you to answer the prayers and demands of the prohibition and temperance sentiment of the country. We can no longer say to them that we can not get the chance to vote for them. We stand at this moment face to face with the opportunity. Remembering our professions and promises to the voters at home who sent us here, let us now with fidelity perform. Various States, townships, counties, and municipalities have prohibited the sale of and dealing in intoxicating liquors, but in defiance of that fact the Federal Government allows liquor houses and newspapers containing the advertisements of liquor houses, brewers, and distillers to flood the State, county, and municipality with their advertisements of rye, of rum, of gin, of beer, and all known kinds of booze. [Applause.] If you want the people whom we represent to have their laws better enforced and respected, deny to the wholesale and retail whisky houses the right, in disregard of local law and local sentiment, to send to the ministry, to the women, to the widows, and to all citizens through the mails advertisements of this nefarious traffic. [Applause.] My southern Democratic colleagues and my Republican friends, particularly from the West, whose constituencies have voted liquor out of townships, counties, and States—in Ohio, in Michigan, in Kansas, Indiana, in Iowa, Nebraska, and all around—have the opportunity now to stand by their people and vote for their protection. [Applause.]

It is said we can not enforce prohibition laws. I deny it. The people of our States and counties have passed these laws. We should clothe them with power to enforce them by withdrawing Government partnership with lawbreakers. Will Members refuse here to vote to have these laws respected by the Federal Government? If the State and local laws which our people have approved and enacted are valid, let us vote

that their sovereign will be not be disregarded by the liquor interests through use of the postal service. Now is the time to shut out these defiant whisky houses, with their vice and crime breeding advertisements. [Applause.]

Millions of our pure women, under the organization of the Woman's Christian Temperance Union are crying out to us to protect the homes and children charged to their keeping. The great body of the churches and God-loving and law-abiding manhood of the Republic have the right to and do demand and expect that we vote for obedience to and regard for the State and local statutes outlawing the liquor traffic. To-day, for the first time, we have offered the opportunity to vote to allow the brewers, distillers, saloonists, and rum sellers to continue to defy the law and will of our constituency, or to rise to the supreme duty of the moment and vote to compel these malefactors who prey upon our homes and unfortunate men to obey and respect the will of sovereign freemen.

Mr. MURDOCK. Will the gentleman yield?

Mr. RODDENBERRY. If I can get the time. I want 10 minutes more, but can not get it. I yield to the gentleman, nevertheless.

Mr. MURDOCK. I want to say to the gentleman that I favor his amendment, and I also will say to him that there is no paper in Kansas that carries any liquor advertisements.

Mr. RODDENBERRY. I always thought well of Kansas and of the gentleman, and I now think better of both. I say to every gentleman here who has been telling the patient women and the preachers at home, "I am with you," it is up to you now. Gentlemen who have been for the moral uplift, for the children, and the good of the country, show it now by your vote when we have the first opportunity. The amendment merely provides that the will of the people shall not be overridden by foreign whisky establishments and by the newspaper that sells its columns in order that prohibited liquor may flow into prohibition territory, when the people have said they do not want it. How much longer shall the dry territory be flooded with defiant advertisements and whisky circulars? Gentlemen, it is both a fair and democratic proposal. Let us as Representatives stand for the sobriety of the people, the sovereignty, dignity, and enforcement of law. The question now for vote and determination is not whether we favor prohibition, but whether we stand for supremacy and enforcement of the law. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Georgia [Mr. RODDENBERRY] to the amendment of the gentleman from Indiana [Mr. BARNHART].

The question being taken, on a division (demanded by Mr. RODDENBERRY), there were—ayes 55, noes 89.

Mr. RODDENBERRY. Tellers, Mr. Chairman.

Tellers were refused, 13 members, not a sufficient number, rising in support of the demand.

Accordingly the amendment of Mr. RODDENBERRY to the amendment was rejected.

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on this amendment and amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from Tennessee moves that all debate on the amendment and amendments thereto close in 15 minutes.

The question being taken, the motion was agreed to.

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

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

The Clerk read as follows:

Amend by inserting after the words "into the mails of the United States," in line 3 of the substitute, the words "as second-class mail matter."

Mr. THAYER. Mr. Chairman, this amendment which I have offered may meet the suggestion of the gentleman from Illinois [Mr. MANN] in regard to innocent persons mailing newspapers contrary to this bill; but that is not the chief purpose for which I offer it. That great jurist, long an ornament of the Supreme Court of the United States, Joseph Story, never uttered a wiser or more statesmanlike sentence than when he wrote this motto for the Salem Register:

Here shall the press the people's rights maintain
Unaw'd by influence and unbrib'd by gain.

If that were the condition of the press to-day, the amendment of the gentleman from Indiana [Mr. BARNHART] would not be necessary, but we are "fallen on evil days," and we are obliged to resort to severe measures to restrain what was once the bulwark of our liberties from becoming the artillery park of "antirepublican tendencies." The amendment is a step, and but a step, in the right direction. I can foresee many methods by which this salutary amendment will be evaded, and, while I do not now offer any legislation on this subject, I desire to

state from my own experience, and what is doubtless the experience of many gentlemen on the floor of this House, an example which will plainly show the need of restrictions like those presented by the gentleman from Indiana [Mr. BARNHART], if not much more drastic ones.

If we wish to see where the editorial sentiments of the papers come from, we do not need to look so much at the names of the owners, stockholders, and directors as we need to look at the advertising pages of those newspapers. There is where the milk in the coconut is to be found. It is through that source that we can tell how the editors will write.

It was my fortune in attempting to restrain the monopolistic tendencies of modern commercialism to present two bills similar in form and in purpose, but relating to two different aspects of the ways in which the business in articles could be controlled. Those bills, as properly amended, are as follows:

[H. R. 11380, Sixty-second Congress, first session.]

A bill to prevent restrictions or discriminations in the sale, lease, or license of tools, implements, appliances, or machinery covered by interstate commerce.

Be it enacted, etc., That no person, firm, corporation, or association engaged in interstate commerce having any interest, whether as owner, proprietor, beneficiary, licensee, or otherwise, in any tool, implement, appliance, or machinery shall, directly or indirectly, in making any sale or lease of or any license entered into in the course of trade or commerce between the several States or with foreign nations or in any Territory of the United States, or the District of Columbia, or between any Territory of the United States and the District of Columbia, or any Territory of the United States or any State or any foreign nation, or between the District of Columbia and any Territory of the United States, or any State or States or foreign nation, to any such article, restrain or attempt to restrain or prevent the vendee, lessee, or licensee from using any tool, implement, appliance, machinery, material, or merchandise not furnished by or with the approval of the vendor, lessor, or licensor, whether by making any condition or provision, express or implied, against such use by a term of any sale, lease, or license to use, or by requiring any obligation, express or implied, against such use from the vendee, lessee, or licensee of the article, or by imposing any restrictions upon the use of the article sold, leased, or licensed, or by making in the price, rental, royalty, or other terms of any such sale, lease, or license any discrimination based upon whether the vendee, lessee, or licensee uses or purchases any such tool, implement, appliance, machinery, material, or merchandise or not, or by any other means whatsoever: *Provided, however,* That nothing in this act shall be construed to prevent any such vendor, lessor, or licensor from requiring that during the continuance of any letters patent on any such article no patented component or constituent parts of the tool, implement, appliance, or machine required for use thereon be purchased except from such vendor, lessor, or licensor: *And provided further,* That nothing in this act shall be construed to prohibit the appointment of agents or sole agents to sell or lease machinery, tools, implements, or appliances.

SEC. 2. That any such person, firm, corporation, or association who shall violate the provisions of this act, and any other person, whether or not an agent of such owner, proprietor, or beneficiary, who shall willfully or knowingly assist in or become a party to any such violation shall be punished for each offense by a fine not exceeding \$5,000 or by imprisonment not exceeding one year, or by both such fine and imprisonment.

SEC. 3. A proceeding in equity to prevent and restrain violations of this act may be brought by any person injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this act in any district court of the United States in the district in which the defendant resides or is found or in which the act complained of was committed; and in addition thereto or separately therefrom may sue, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee.

SEC. 4. The several district courts of the United States are hereby invested with jurisdiction to prevent and restrain violations of this act; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations. Such proceedings may be by way of petition setting forth the case and praying that such violation shall be enjoined or otherwise prohibited. When the parties complained of shall have been duly notified of such petition, the court shall proceed, as soon as may be, to the hearing and determination of the case; and pending such petition and before final decree, the court may at any time make such temporary restraining order or prohibition as shall be deemed just in the premises.

SEC. 5. Whenever it shall appear to the court before which any proceeding under section 4 of this act may be pending that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned, whether they reside in the district in which the court is held or not, and subpoenas to that end may be served in any district by the marshal thereof.

SEC. 6. Any property owned under any contract or by any combination or pursuant to any conspiracy (and being the subject thereof) mentioned in section 1 of this act and being in the course of transportation from one State to another or to a foreign country shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law.

SEC. 7. That the word "person" or "persons" wherever used in this act shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States or the law of any of the Territories, the laws of any State, or the laws of any foreign country.

[H. R. 11381, Sixty-second Congress, first session.]

A bill to prevent restrictions or discriminations in the sale, lease, or license of tools, implements, appliances, or machinery, or the use of any method or process covered by the United States patent laws.

Be it enacted, etc., That no person, firm, corporation, or association having any interest, whether as owner, proprietor, beneficiary, licensee, or otherwise, in any letters patent of the United States covering any

tool, implement, appliance, or machinery, method, or process shall, directly or indirectly, in making any sale or lease of or any license to any right under such patent or to any article which embodies or includes the invention covered by such letters patent, restrain or attempt to restrain or prevent the vendee, lessee, or licensee from using any tool, implement, appliance, machinery, material, or merchandise not furnished by or with the approval of the vendor, lessor, or licensor which does not infringe such letters patent, whether by making any condition or provision, express or implied, against such use by a term of any sale, lease, or license to use, or by requiring any obligation, express or implied, against such use by the vendee, lessee, or licensee of the article, or by imposing any restrictions upon the use of the article sold, leased, or licensed, or by making in price, rental, royalty, or other terms of any such sale, lease, or license any discrimination based upon whether the vendee, lessee, or licensee uses or purchases any such other tool, implement, appliance, machinery, material, or merchandise or not, or uses any such other method or process, or by any other means whatsoever: *Provided, however*, That nothing in this act shall be construed to prevent any such vendor, lessor, or licensor from requiring that during the continuance of such letters patent no patented component or constituent parts of the tool, implement, appliance, or machine required for use thereon be purchased except from such vendor, lessor, or licensor: *And provided further*, That nothing in this act shall be construed to prohibit the appointment of agents or sole agents to sell or lease machinery, tools, implements, or appliances.

SEC. 2. That any such person, firm, corporation, or associations having interest in any such letters patent who shall violate the provisions of this act, and any other person, whether or not as agent of such owner, proprietor, or beneficiary, who shall willfully assist in or become a party to any such violation shall be punished for each offense by a fine not exceeding \$5,000 or by imprisonment not exceeding one year, or by both such fine and imprisonment.

SEC. 3. That if any person, firm, corporation, or association is convicted a second time of any offense under this act in connection with such letters patent, such letters patent shall thereupon become null and void.

SEC. 4. Proof of violation of this act shall be a good defense to any action for infringement of any patent in connection with which said violation occurs.

SEC. 5. Any person injured by violation of this act may bring an action for recovery of damages against any party so violating, in any district court of the United States or in the district wherein the act complained of was committed or wherein the defendant resides or is found.

In connection with them and with the Lenroot bill, H. R. 15926, a long amendment to the Sherman antitrust act, lengthy hearings were held before the Judiciary Committee. At the time these measures were introduced in the House of Representatives the press of Boston especially took considerable notice of them, as the practices at which they were aimed were largely those of the United Shoe Machinery Co., of Boston. From time to time some mention was made of them in the papers, necessitated by the fact that the United States Government had, after these measures were introduced, brought indictments against some of the directors of the company and also a bill in equity for the dissolution of the company.

But when the hearings on the bill were begun, after brief notices of the opening days, some of the papers ceased all mention of the proceedings, and others mentioned only the evidence which appeared favorable to the United Shoe Machinery Co., but not the evidence advanced in favor of the measures, and not one of the Boston papers gave the final arguments in their favor. About the time the hearings were concluded Judge Gray had made a suggestion on the framing of the final decree dissolving the Powder Trust—

that the Sherman Act does not make a specific regulation; it is much to be desired that Congress in its future legislation would so regulate commerce between States that, however drastic that regulation may be, the business of the country will be compelled to accommodate itself to it.

Judge Putnam, in the indictment of the United States versus Directors of the United Shoe Machinery Co., had said substantially the same. These decisions were followed by the dissenting opinion of a strong minority of the court—Justices White, Hughes, and Lamar—in the celebrated *Henry* case, where the division was four to three. Justice White said:

Because of the hope that if my forebodings as to the evil consequences to result from the application of the construction now given to the patent statute be well founded, the statement that the application of my reasons may serve a twofold purpose: First, to suggest that the application in future cases of the construction now given be confined within the narrowest limits, and, second, to serve to make it clear that if evils arise their continuance will not be caused by the interpretation now given to the statute but will result from the inaction of the legislative department in failing to amend the statute so as to avoid such evils.

On account of this decision it was seen that a change in the law was imperative, and the Boston newspapers, as well as the press of the country in general, took notice of these hearings which had been already held. The Boston Transcript, besides speaking specifically of these measures, devoted considerable space to the patent laws. But the question naturally arises, Why had not the press of Boston paid more attention to these measures, which were honestly intended to restrain monopolistic control and in which New England was peculiarly interested on account of the presence within her borders of one of the offenders of the law, and also because remedial legislation was advocated by one of her Congressmen? Their attitude may be explained in part by the following statement and editorial from the Boston American, which has always been the determined foe of

monopoly, whether business or political, and also because—alas, too often we are compelled to look to the advertising columns of the newspaper to discover how the editorial and news columns will treat any subject related to its principal source of revenue:

[Boston American, Friday, Feb. 2, 1912.]

SHOE MACHINERY TRUST GOES INTO THE NEWSPAPER BUSINESS—HAS THE BOSTON "TRAVELER," GETS THE LYNN "NEWS," AND ADDS THEM TO THE "TIMES" OF GLOUCESTER AND "NEWS" OF NEWBURYPORT—EDITORIAL AGENTS LOOKING FOR OPPORTUNITIES IN SALEM AND HAVERHILL—BOUND TO HAVE NEWSPAPERS EVERYWHERE THAT WILL BE "FAIR-MINDED"—TRAVELER EDITOR, WHO WANTED TO PRINT A STORY THAT SHOE-MACHINERY WINSLOW DIDN'T WANT PRINTED, ISN'T THE TRAVELER EDITOR ANY MORE—SMITH AND HIGGINS, THE MEN ON THE TRAVELER JOB FOR SIDNEY W. WINSLOW, AND SMITH AND HIGGINS ARE ALSO THE MEN ON THE JOB IN LYNN, GLOUCESTER, AND NEWBURYPORT—PERHAPS THEY'LL PLANT A "FAIR" PAPER IN SALEM AND HAVERHILL, TOO.

Confirmation of the report that the Boston Traveler had passed under the control of the president of the United Shoe Machinery Co. was followed to-day by the discovery that the head of the Shoe Machinery Trust is also a big figure in at least three other Massachusetts newspapers and that his representatives in the newspaper field have their eyes on two cities more.

The president of the Shoe Machinery Trust is Sidney Winslow. Mr. Winslow's shoe-machinery offices are located in Lincoln Street. His homes are at Beverly, at Brewster—the Cape Cod town where he was born less than 60 years ago—and at No. 10 Commonwealth Avenue.

President Winslow's bright young men in the newspaper business are Fred E. Smith, of Newburyport, once the Republican postmaster of the city at the mouth of the Merrimac, and James H. Higgins, also of Newburyport.

THE TRUST NEWSPAPERS.

The list of newspapers now controlled by Sidney W. Winslow, through Smith and Higgins, is as follows:

In Boston, the Boston Traveler; in Lynn, the Lynn Evening News; in Gloucester, the Gloucester Times; in Newburyport, the Newburyport News.

Why the shoe-machinery people should be interested in newspaper publications to the extent of securing editorial or financial control is a matter for conjecture, but it was pointed out to-day that in every case save one the shoe-machinery newspapers on the above list are published in what might be called shoe towns.

The Boston Evening Traveler, now completely under Winslow's control, is printed in the great wholesale center of the shoe business in North America.

Making shoes is the principal business of Newburyport, where Smith and Higgins get out the Evening News for Mr. Winslow. Lynn, where they print the News, is the "Shoe City" of the United States.

The attitude of the local press toward the shoe manufacturers in the shoe cities—and it is known that Mr. Winslow's young men have for some time been feeling out the probable chances for a paper in Salem and Haverhill—is an extremely important factor in the business of these manufacturers.

Shoe manufacturers may also have trouble with the assessors. In local paper is able to take the middle of the road in these controversies or it may side with one disputant or the other.

Shoe manufacturers may also have trouble with the assessors. In these disputes, also, it is not unpleasant to find the local newspaper your friend.

Suggestions of this sort have been made to American reporters who, for several days, have been investigating the great interest shown by the big fellows of the Shoe Machinery Trust in the newspaper business.

These suggestions appear to have been based upon suspicion most unjust, for, on the authority of a man who claims to know the situation in Lynn, the American was to-day furnished with information going to show that, in that city, at least, Mr. Winslow has merely taken steps to see that a paper which formerly was unfair shall hereafter be fairminded.

A COOLIDGE IDEA.

In addition to its four Massachusetts dailies—with at least two more to come—the Shoe Machinery Trust has for two or three years maintained one of the best press bureaus in the country.

This press bureau is supposed to have the benefit of the wisdom and experience of Mr. Louis A. Coolidge. Mr. Coolidge is treasurer of the United Shoe Machinery Co. He used to be famous as one of the best newspaper correspondents at Washington, D. C.

Coolidge in 1904 was president of the Gridiron Club at Washington. He had then been a Washington correspondent for more than a dozen years. He was a great friend of President Roosevelt. He was a member of the Roosevelt "tennis cabinet," and in the presidential campaign of 1904 the Roosevelt folks put Coolidge in as director of the Republican literary bureau.

In 1908 he was appointed Assistant Secretary of the Treasury. He might have gone higher—as high as Hitchcock—if Winslow hadn't come along with the proffer of a place paying considerable more money than Uncle Sam allows even the best of his servants. Coolidge became treasurer of the Shoe in 1909.

NO POLITICS IN MOVE.

In addition to its advertising in all sorts and conditions of daily papers, weekly papers, trade journals, souvenir publications, and monthly magazines, the press department of the United Shoe Machinery Co. has at times sent broadcast a lot of advertising to be run as "pure reading matter."

When Smith and Higgins, of Newburyport, under the kind patronage of Sidney W. Winslow, of the United Shoe Machinery Co., began the establishment of a syndicate of newspapers in northwestern Massachusetts, there was commonly supposed to be "politics" behind it.

The first guess was that John Hays Hammond wanted something. Mr. Hammond denied the soft impeachment. Gradually Mr. Winslow was uncovered, the Lord Bountiful of a free press.

If Mr. Winslow wanted anything in politics, it has not been apparent since the time when, in 1908, he set out to be an anti-Taft delegate to the Republican national convention from Beverly. His ambitions were rudely punctured at that time by Capt. Augustus Peabody Gardner, of Hamilton.

WHAT IS REAL PURPOSE?

There was, however, last July, a movement to put Treasurer Coolidge up as the Republican candidate for lieutenant governor. Not very much came of that movement at that time.

With these guesses removed from consideration, there is left the proposition that the shoe-machinery crowd desires to place newspapers in shoe-manufacturing towns for purposes which may appear later.

It is the belief of everybody on the inside at Washington, according to advices which came a day or two ago to the Boston American, that the shoe-machinery company is in a way of extricating itself from a very unpleasant position before the enforcers of the Sherman Antitrust Act.

It is, of course, well known that the shoe-machinery company is among the many which have been indicted under the Taft administration. There are cynics in Massachusetts who have thought that able gentlemen would make smooth the way of the "United Shoe" at Washington quite as other gentlemen made smooth the way of the New York, New Haven & Hartford Railroad in Mr. Roosevelt's time.

TRUST HEADS AT WASHINGTON.

Not only Treasurer Louis A. Coolidge, formerly of the Roosevelt tennis cabinet, but Mr. Charles F. Choate, Jr., one of the ablest, if not the ablest, extricator in New England, have been in Washington for many days in the interests of President Winslow's \$50,000,000 corporation.

There was a report last week—since denied by the defendant company—that the Shoe Machinery Trust was about to throw up its hands and surrender. According to a Washington story which has come to the Boston American the Shoe Machinery Trust is getting ready to be let off easily. It is going to reorganize or readjust or re-something.

First of all the United Shoe has got to drop the "exclusive" feature out of its contracts with manufacturers. Apparently the shoe manufacturer is to be at liberty to buy and lease where he will.

And so, it is thought, the shoe-machinery people have decided that it will be helpful under the new agreement to have a daily newspaper in each of the shoe centers. Hence they have to-day the Boston Traveler, the Lynn News, the Gloucester Times, and the Newburyport News.

And they have been looking for footholds, as will be explained, in Salem and Haverhill. Shoe-machinery papers in these cities are to come later.

FIRST WINSLOW PAPER.

The first of the Winslow newspaper ventures was the News, of Newburyport. Jim Higgins, who took charge of this venture, was one of the Winslow protégés. Mr. Winslow is celebrated for his good judgment in picking able young lieutenants.

Fred Smith, who had been the Newburyport postmaster and who was close to the Republican State machine at that time, was associated with Higgins in the News venture. The relations that existed between these young men and President Winslow were well known in that corner of Essex.

Smith and Higgins did so well with the News, of Newburyport, that they next essayed Gloucester. Here they got control of the Times.

Next on the list of Smith-Higgins-Winslow papers came the Boston Traveler.

Mr. Winslow inserted his bright young men into the Boston Traveler quietly.

THE TRUST AND THE TRAVELER.

Nearly two months ago—on December 13, to be exact—there appeared in the Boston Post an item which said that a number of changes had taken place of late in the Boston Traveler. The Post item said that Mr. E. H. Baker, of Cleveland, Ohio, had retired as general manager and publisher of the Traveler.

Up to that time—and for some time—Mr. E. H. Baker, of Cleveland, had been the dominating factor in the Traveler. When the "Cleveland" interests took over the Traveler, Mr. Baker appeared as the Traveler's principal executive. The man "on the job," for Mr. Baker was Mr. Baker's son, Frank S., who has made his home in Quincy.

More than a year ago—or early last year—it became known in financial circles in Boston, and to those on the inside of Boston newspaperdom, that one of the "largest factors" in the Traveler was Sidney W. Winslow, of the United Shoe Machinery Co.

RUMOR OF TROUBLE IN CAMP.

To-day it is said that not only was this true at that time, but that other officials of the Shoe Machinery Co. are interested in the Boston Traveler in an alliance with Albert F. Holden, of Cleveland, Ohio, one of the principal officers of the United States Smelting, Refining & Mining Co. President Winslow is one of the directors of that company.

Along in the middle of last summer there were continuous rumors of trouble in the Traveler camp.

For one thing it was said that Mr. Marlin E. Pugh, then the managing editor of the Traveler, had been printing in the Traveler altogether too many things tending to annoy and displease President Sidney W. Winslow and the gentlemen quietly associated with Mr. Winslow at that time in the Traveler enterprise.

It also became known at about that time that Mr. Winslow, now supposed to be merely the "angel" back of the Traveler, had lost his admiration for Mr. E. H. Baker, of Cleveland, Ohio.

THE POST CORRECTION.

And, some time after midsummer, it became known that while Mr. E. H. Baker continued to be known as an official of the Traveler, Mr. E. H. Baker was no longer the gentleman who was giving orders in the Boston Traveler office. Then came the announcement that Messrs. Smith & Higgins had come in.

The item which the Boston Post printed on December 13, however, was corrected by the Boston Post on the following day.

On December 14, last, the Boston Post reported that Mr. Frank S. Baker (the son of E. H.), was and would continue to be the publisher of the Traveler. The Post said further, in this correction, that Mr. Frank S. Baker's father had never been active in the management of the Traveler but would continue to act, as before, as president of the Evening Traveler Co.

TRUST TAKES OVER LYNN NEWS.

And then the Boston Post went on to say that Mr. Frank S. Baker had "recently called into association with him Mr. James H. Higgins and Mr. Fred E. Smith, publishers of the Newburyport News and the Gloucester Times, who will act in an advisory capacity."

The picture thus presented, of the Bakers of Cleveland, Ohio, and Boston, Mass., digging up editorial "advisers" in Newburyport and Gloucester, caused some quiet merriment at the time. All this was well enough, however, until, lo, and behold, along came the Boston Herald last week with an item telling how the Lynn Evening News had been bought by Mr. Winslow's Smith & Higgins.

Representatives of the bondholders of the Lynn Evening News, the Boston Herald said last week, had sold the News to Smith & Higgins "free of the mortgage." The Herald identified Smith & Higgins as the gentlemen "who have recently secured a large interest in the Boston Traveler."

The Boston Traveler, it may be said in passing, did not print this item, nor has the Boston Herald "corrected" it.

Public sentiment, it has been pointed out by several with whom reporters of the American have discussed the shoe machinery newspaper syndicate in the past few days, has come to be regarded as a dangerous factor in the affairs of big business.

The larger corporations and the trusts, therefore, it has been pointed out, are on the qui vive with reference to the "development" of this public sentiment.

Having the Boston Traveler, the Newburyport News, and the Gloucester Times, Mr. Winslow and his friends next stepped into Lynn. There they took the plant of the Lynn Evening News.

The Lynn News was practically down and out. It had some \$50,000 in outstanding bonds. The paper was largely controlled by the Lynn Gas Co. and the General Electric Co. When the paper blew up, indeed, there appeared in the list of its bondholders the name of President C. A. Coffin, of the General Electric Co.

Also there appeared there the names of former Gov. Eben S. Draper and former Lieut. Gov. Louis A. Frothingham.

Interesting stories are told in Lynn about the blowing up of the Evening News.

The gentleman who had dominated the paper for some time is said to have been a Mr. Bolton, of New Haven, Conn.

Mr. Bolton had an editor in charge of the Lynn Evening News who appears to have been of the same kidney as Merlin Pugh, the Boston Traveler editor, whose sayings and doings so annoyed the philanthropic Mr. Winslow.

Regardless of the fact that the Evening News bonds were in hands at least friendly to the Lynn Gas Co., this Evening News editor displayed a most unpleasant penchant for going after the said gas company and lambasting it fore and aft.

Whereupon, according to the gossip of Lynn, the gas people bled themselves to Publisher Bolton, saying, "What meanest thou?" and "Desist," and like manner of exclamation.

And the good Mr. Bolton, says the gossips of Lynn, threw up his hands as one who is guiltless and said, "I can not help it; it's me editor."

The which, as was soon to develop, did not go.

There came a day when it was time to pay interest on the bonds, and the cupboard was bare. The unpleasant editor had gone away some time previously, but the men of money were relentless, and there was nothing doing for the Lynn News.

At about this time the thought appears to have struck Mr. Winslow that the Lynn Evening News should be succeeded by a journal which would treat the business interests of Lynn fairly, and so it came to pass that Smith and Higgins added the Lynn Evening News to a string of papers which already included the Newburyport News, the Gloucester Times, and the Boston Traveler.

In addition to his controlling interest in the affairs of the Boston Traveler, President Winslow, of the Shoe Machinery Trust, has at least a friendly interest in the affairs of one other Boston newspaper.

President Winslow has been seen at the Hotel Touraine of late in the company of the editor of this other Boston newspaper. Vice President George W. Brown, of the Shoe, has apartments at the Touraine.

In Salem the United Shoe Machinery's newspaper set are reported to have made advances to Col. Robin Damon, who has printed the Salem Evening News for a great many years and is generally credited with having found a gold mine in it. Up to this time the Shoe Machinery newspaper set have merely made advances to Col. Damon.

The Haverhill situation is said to be that the Shoe Machinery folks are waiting for the psychological moment.

All of which interesting newspaper information is offered to the newspaper readers, the advertisers, and the newspaper people of Massachusetts for the good that it may do.

President Winslow, of the United Shoe Machine Co., wants the press of Massachusetts to be "fair." Of course President Winslow stands by the constitution of Massachusetts, which declares that "the liberty of the press is essential to the security of freedom in a State; it ought not, therefore, to be restrained in this Commonwealth."

[Editorial in Boston American, February 3, 1912.]

MONOPOLISTIC GAGGING OF THE PRESS MEANS THE POISONING OF THE WELLS OF AMERICAN PUBLIC OPINION.

The hundreds of thousands who read this newspaper day by day and who are each day steadily adding to their numbers will have read with amazement the exposure of press gagging which the American made on the first page of yesterday's editions.

It is an exposure which should blanch the cheek of every thoughtful citizen who reads it. Every paragraph, every line of the shameful story has full material to make men pause.

This story of the Shoe Trust and its controlled chain of newspapers is the opening of a chapter whose ending no man can foresee.

It is the unveiling, rather the unmasking, of a powerful conspiracy to muzzle the American press, to poison the wellsprings of American public opinion.

From the dawn of this Republic onward to this very hour the free, untrammelled, independent, patriotic press of America has been the stoutest bulwark of the people's rights and of the Nation's liberties.

Greater than fleets and armies, greater than all the genius of statesmanship, the press of America, free, independent, patriotic, has stood firm and strong and true against all injustice and against every encroachment upon the domain of the people's rights.

Every stone that was laid in the fabric of American institutions during the struggling days which followed '76 was bonded in the cement of a free and solid, patriotic, and independent American press, racy of the soil and loyal in all its utterances.

Is this bond in danger of dissolution? Is this long-cemented union to be melted "like snow before the sun," in the corroding acid of corporate corruptive influence?

Here is a question for the American people to face; no other people will face it for them.

It is an issue as deep and as pregnant as any that has reared itself since Washington and his confrères gave this Nation birth.

It is a problem as serious as any that has come before the people since the martyred Lincoln spoke his inspiring prayer upon the field of Gettysburg.

Gagging the press of America, bringing it under the control of monopolistic corporations, seven-eighths of whom are said to be persistent violators and defiers of the Nation's laws, is a crime fully in the class with the poisoning of the wells when hostile armies are on the march.

An independent, patriotic journalism is the very lifeblood of this Republic.

It is for the people to see that it endures.

My own home paper, the Worcester Evening Post, was, as far as I know, the only paper in New England that published full

and adequate reports of both sides of the subject, as it always does, thus fulfilling the functions of a real newspaper.

The United Shoe Machinery Co. is a large advertiser—for what purposes its officers can best tell, for it has a virtual monopoly of the shoe-machinery business—in the metropolitan press, and therefore it can be, perhaps, inferred without any large stretch of the imagination that such a good customer's wishes must be respected. Now, during the pendency of these measures it has published in the New York Sun a full-page advertisement describing its works in Beverly and its general beneficence (?). An experience of a colleague of mine, the Hon. EDWARD W. TOWNSEND, of New Jersey, is somewhat similar. March 29 of this year he made a unique speech on the tariff, showing that the mortality among infants in the textile manufacturing towns was larger than elsewhere. Shortly afterwards a supplement of many pages appeared in the New York Sun describing the various textile industries of the United States.

I think that in order to have more perfect operation of the Barnhart amendment the sums paid by the largest advertisers should be quarterly or annually announced. Then perhaps the overt influences in the news and editorial columns might be revealed.

That one of the greatest agencies through which the English-speaking people obtain and maintain their freedom should now bid fair to become an instrument, if not to destroy it, at least to hinder its accomplishments, is a sad commentary on the plutocratic development of the last two decades. Was it for this that Wilkes suffered imprisonment and fought for years against the Crown; that Fox and Burke thundered their philippics in favor of an untrammelled press; that our own Hamilton fought and won; and that Greeley, Raymond, Webb, and Bennett built great newspapers? We who believe we are right fear no publicity. We are willing that the people should decide the justice of our cause, but we demand and will obtain an impartial hearing. But, perchance, "because their deeds are evil our opponents love darkness" and do not court publicity. Fortunately, there is one paper in the United States which does not contain any advertisements, avowedly, at least, and here, if nowhere else, a fair and impartial treatment can be given of subjects relating to the interests of the people with the confident trust that they will prevail.

Because right is right to follow right
Were wisdom in the scorn of consequence.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. THAYER].

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

Mr. STERLING. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Strike out, in the second sentence, the words "in whose interest or interests such article is published" and insert in lieu thereof the following: "contributing such article for publication."

Mr. STERLING. Mr. Chairman, I will read the sentence that it is proposed to amend:

Also all editorial or other reading matter published in any circulating periodical for the insertion of which money or other consideration is accepted by the publisher or publishers shall be plainly marked "Advertisement," or signed by the name or names of persons in whose interest or interests such article is published.

And so forth.

Mr. Chairman, as that sentence now reads the article must be signed by the person in whose interest it is published. It seems to me that it should be signed by the person contributing the article for publication.

To illustrate the point: Some person may desire to insert in the newspaper an article in the interest of some candidate or some proposition of public interest. He may be willing to pay for it; he may want to advertise the merits of the proposition or of the candidate for whom he stands. Under this provision as it stands the person in whose interest it is published must sign it; that is, the candidate himself must sign it. It seems to me all that should be required is that the public know who is behind the article and, therefore, the person writing or contributing the article should be the one who should sign it instead of the person in whose interest it is published.

It is of a great deal more importance that the public should know who is writing an article in favor of a candidate, or in favor of a proposition, than it is to know in whose interest it is published.

Mr. MANN. Will the gentleman yield?

Mr. STERLING. Certainly.

Mr. MANN. The gentleman's statement was that the matter was paid for. Under the bill, is it not simply sufficient to mark it as "Advertisement"?

Mr. STERLING. The bill provides that it must be marked "Advertisement" or it may be signed by the person in whose

interest it is published; he may use either method. In case the person publishing it prefers to have it marked as an advertisement he can do so. The bill provides for that. If he adopts the other method he ought to sign the article, instead of requiring it to be signed by the person in whose interest it is published.

Mr. MANN. But if it is a paid advertisement purporting to be a contribution by some one, ought it not to be marked "Advertisement"?

Mr. STERLING. The person ought to have the option of marking it "Advertisement" or publishing it over his own signature. The bill provides both methods, and the amendment which I offer does not change that feature. In some instances the person would prefer to use the word "Advertisement," and in other cases he might prefer to use his own signature and let it be known that he stands for a certain proposition or a certain candidate. The bill provides that he may use either method, and I think that is perfectly proper, but it seems to me that if it is required to be signed by anyone it should be by the person publishing the article and not by the person in whose interest it is published. The public is entitled to know who is behind matters and movements of public interest.

Mr. YOUNG of Kansas. Does not the gentleman think that the article itself ought to be marked "Advertisement"?

Mr. STERLING. The bill provides the two alternatives very wisely. It may be marked an "Advertisement" or signed by the person in whose interest it is published. I think the alternative ought to be given. There might be cases where one would prefer to use the word "Advertisement" and others where he would not, but in any event it ought to be signed by the person contributing the article instead of the person in whose interest it is published.

Mr. BERGER. Mr. Chairman, we have here an example of how a bill, introduced with the best of intentions, can be turned into an insane piece of legislation. The paper with which I am connected, the Milwaukee Leader, Mr. Chairman, has over 8,700 owners and stock and bond holders, counting some trade-unions as individual stockholders. In order to print that list of names with the stock and bonds held by them would require a page and a half every week, even if the list is printed only once every week, as the amended bill now requires.

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

Mr. BERGER. No, sir; not now. I want to make my statement first. Furthermore, it seems to me that the politicians are trying to get even with the newspapers which are continuously prying into the private affairs of the politicians. The politicians want to know everybody connected with the papers and thus get the best of them. You can never do it, gentlemen, because in the end the newspapers will have the last word every time, no matter what you do. [Laughter and applause.] If you get the ill will of your own party papers you might just as well quit the political game.

Moreover, there is a great danger lurking behind the proposition. The freedom of the press is involved. For the first time since I have been in the House, I am inclined to agree with my friend, the gentleman from Pennsylvania, Mr. MOORE. [Laughter.] The amendment as it reads now is really a grave attack upon the liberty of the press. In the case of the Milwaukee Leader the stockholders of the paper are workmen, with very few exceptions. Just imagine. If their names appear as stockholders of a Socialist paper they are liable to be blacklisted by the manufacturers, who are bitterly opposed to socialism and naturally hate every Socialist paper, and especially the Leader.

The amendment is impossible and ridiculous. It is one of the worst attacks upon labor papers ever proposed, and that attack hides behind the cloak of reform. For hundreds of years in the old country the people have fought for the right to express their opinion in the press. And the people ought surely to have the right in this country to own a mouthpiece and to express their opinions without being in danger of losing their jobs as a penalty.

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

Mr. BERGER. Certainly.

Mr. BARNHART. What per cent of the stockholders of the publication which the gentleman from Milwaukee—

Mr. BERGER. From Wisconsin, if you please.

Mr. BARNHART. Which the gentleman from Wisconsin controls, own more than \$500?

Mr. BERGER. I do not have control of the stock and bonds of the paper. Moreover, Mr. Chairman, I understand that the \$500 provision was stricken out.

Mr. BARNHART. I am simply inquiring.

Mr. BERGER. Probably six or eight stockholders and a larger number of bondholders. Among them are quite a few

trade-unions and the central committee of the party. Under the provisions of the gentleman's bill we should have to print the names of some 20,000 members of the Federated Trades Council of Milwaukee. That alone, with their address and a statement of their stock or bonds owned, might take up 10 pages.

Mr. BARNHART. I was not in favor of that.

Mr. ALLEN. Mr. Chairman, I will state to the gentleman from Wisconsin that an amendment will be offered to correct that.

Mr. BERGER. Mr. Chairman, I am glad of that; otherwise the 20,000 names of the members of the Federated Trades Council and the 8,700 stockholders would take up the space of the paper and we could not print anything else. We could not even tell our people in Milwaukee that this is the only kind of reform they can expect from the Democratic side. [Laughter and applause on the Republican side.]

Mr. MANN. Mr. Chairman, I make the point of order that all debate on the pending amendment is exhausted.

The CHAIRMAN. The Chair sustains the point of order. The question is on the amendment offered by the gentleman from Illinois [Mr. STERLING].

The question was taken, and the amendment was rejected.

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

The Clerk read as follows:

After the word "securities," in line 10 of the amendment, insert the words "to the amount of \$550."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. FOSTER].

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

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

The Clerk read as follows:

At the end of the paragraph insert the following: "Provided, That nothing in this paragraph contained shall apply to or include periodical publications published by or under the auspices of fraternal or benevolent societies or orders or trades-unions."

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

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

Mr. FOSTER. Mr. Chairman, I move to amend the amendment which I offered a moment ago by adding, after the word "dollars," the words "or more."

Mr. BERGER. Mr. Chairman, I ask unanimous consent for one minute, in order that I may ask a question.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. BERGER. Mr. Chairman, I would like to know whether that would include the Federated Trade Council of Milwaukee, which owns about \$1,500 worth of stock in the paper. Would they have to print the entire list of names of 23,000?

Mr. FOSTER. No.

Mr. BERGER. Every one of them is an owner—23,000; that is all.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

In the amendment of the gentleman from Illinois [Mr. FOSTER], just adopted, after the words "five hundred and fifty dollars" insert the words "or more."

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

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

Mr. SHERLEY. Mr. Chairman, I offer as a substitute the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

The privileges of second-class mail matter shall not be given to any newspaper, magazine, or other periodical that shall not contain in plain type the names of the publisher and editor of the same.

The CHAIRMAN. The question is on agreeing to the substitute offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. SHERLEY) there were—ayes 50, noes 69.

Mr. SHERLEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the gentleman from Kentucky [Mr. SHERLEY] and the gentleman from Indiana [Mr. BARNHART] were appointed to act as tellers.

The committee again divided; and the tellers reported—ayes 42, noes 76.

So the amendment was rejected.

The CHAIRMAN. The question is on the amendment of the gentleman from Indiana as amended.

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

On a division (demanded by Mr. MANN) there were—ayes 76, noes 32.

So the amendment as amended was agreed to.

Mr. DODDS. Mr. Chairman, I ask unanimous consent to return to page 25 of the bill and to the end of line 6, to the amendment introduced by myself and made part of the bill on the 22d instant, and I offer the following amendment.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to return to page 25, for the purpose of offering an amendment.

Mr. MOON of Tennessee. Reserving the right to object, I would like to ask the gentleman to state what his amendment is.

Mr. MANN. Let the amendment be read for information.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On line 18, page 2 of the amendment, after the word "by," insert the words "or under the auspices of."

Mr. DODDS. This is simply to make the language of the first proviso conform to the rest of the amendment.

Mr. MANN. We inserted that language at one place.

Mr. MOON of Tennessee. I have no objection.

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

Mr. DODDS. Mr. Chairman, I have another amendment which I desire to offer for the same purpose.

Mr. MANN. The gentleman asks unanimous consent?

The CHAIRMAN. Unanimous consent has been given to return.

Mr. MANN. Unanimous consent was given to return for the purpose of offering the other amendment.

The CHAIRMAN. Now the gentleman asks unanimous consent for the purpose of offering this amendment. The Chair understood the gentleman to ask unanimous consent to return to this portion of the bill for the purpose of offering an amendment.

Mr. MANN. Which we had reported for information.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On line 19, page 2 of the amendment, after the word "orders," strike out the comma before the word "trades," strike out the word "by," and at the end of the line, after the comma, insert the words "or by."

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

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

The Clerk read as follows:

SEC. 6. That no person in the classified civil service of the United States employed in the postal service shall be removed therefrom except for such cause as will promote the efficiency of said service and for reasons given in writing, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing; and affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer making the removal; and copies of charges, notice of hearing, answer, reasons for removal, and of the order of removal shall be made a part of the records of the proper department or office, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be annually reported to Congress and furnished to the person affected upon request, and the Civil Service Commission also shall, upon request, be furnished copies of the same or the originals thereof: *Provided, however,* That membership in any society, association, club, or other form of organization of postal employees having for its objects, among other things, improvements in the condition of labor of its members, including hours of labor and compensation therefor and leave of absence, by any person or groups of persons in said postal service, or the presenting by any such person or groups of persons of any grievance or grievances to the Congress or any Member thereof shall not constitute or be cause for reduction in rank or compensation or removal of such person or groups of persons from said service.

Mr. FOWLER. Mr. Chairman, the section of the bill which has just been read provides for relief to postal employees against unwise Executive orders which have been issued from time to time by the executive department. In order that we may get a clear understanding of it I will read it again:

SEC. 6. That no person in the classified civil service of the United States employed in the postal service shall be removed therefrom except for such cause as will promote the efficiency of said service and for reasons given in writing, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing; and affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer making the removal; and copies of charges, notice of hearing, answer, reasons for removal, and of the order of removal shall be made a part of the records of the proper department or office, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be annually reported to Congress and furnished to the person affected upon request, and the Civil Service Commission also shall, upon request, be furnished copies of the same or the originals thereof: *Provided, however,* That membership in any society, association, club, or other form of organization of postal employees having for its objects, among other things, improvements in the condition of labor of its mem-

bers, including hours of labor and compensation therefor and leave of absence, by any person or groups of persons in said postal service, or the presenting by any such person or groups of persons of any grievance or grievances to the Congress or any Member thereof shall not constitute or be cause for reduction in rank or compensation or removal of such person or groups of persons from said service.

This provision is intended to restore certain constitutional rights and preserve them to the postal employee which he has apparently lost by the invasion of the executive department in the past. It is unfortunate that in this, the twentieth century of civilization, we should be compelled, by legislative enactment, to restrain the hand of the Chief Magistrate of the foremost Government in the world, yet that is just what this paragraph is intended to do. The first amendment to the Constitution provides for free speech, peaceable assemblage, and the right to petition for a redress of grievances. This is one of the most important features of the Constitution, and certainly one of the most important to the American citizen, for it was intended to preserve his individuality, and whenever wronged to give him the right to meet his friends, collectively, for the purpose of taking counsel of them as to how he may best relieve himself from such wrong and, if found necessary, to petition for a redress of grievances. Notwithstanding this provision of the Constitution, the Executive has seen fit to promulgate decrees which in terms nullify and destroy the effect of all three of these fundamental rights. I hold in my hand a copy of one of these decrees, which is so severe in its terms that it takes away from more than 200,000 postal employees all three of these constitutional rights and reduces them to a beggarly servitude. It reads as follows:

APPOINTMENTS, PROMOTIONS, AND REMOVALS IN THE EXECUTIVE CIVIL SERVICE.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., October 10, 1905.

To officers and employees of the Post Office Department and others concerned:

Attention is invited to the following Executive order, dated January 31, 1902:

"All officers and employees of the United States of every description, serving in or under any of the executive departments, and whether so serving in or out of Washington, are hereby forbidden, either directly or indirectly, individually or through associations, to solicit an increase of pay or to influence or attempt to influence in their own interest any other legislation whatever, either before Congress or its committees, or in any way save through the heads of the departments, in or under which they serve, on penalty of dismissal from the Government service."

Attention is also invited to the following provisions of the civil-service rules, promulgated March 20, 1903, effective April 15, 1903:

"No recommendation for the promotion of a classified employee shall be considered by any officer concerned in making promotions, unless it be made by the person under whose supervision such employee has served; and such recommendation by any other person, if made with the knowledge and consent of the employee, shall be sufficient cause for debarring him from the promotion proposed, and a repetition of the offense shall be sufficient cause for removing him from the service."

Section 2 of rule 1 provides in part that:

"No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations, and all disclosures thereof shall be discontinued. No discrimination shall be exercised, threatened, or promised by any person in the executive civil service against or in favor of an applicant eligible, or employee in the classified service because of his political or religious opinions or affiliations."

Section 3 of rule 1 provides that:

"No recommendation of an applicant, eligible, or employee in the competitive service involving a disclosure of his political or religious opinions or affiliations shall be considered or filed by the commission or by any officer concerned in making appointments or promotions."

Officers of this department and its bureaus, having supervisory authority, are directed to enforce strictly these provisions and to report promptly all cases of failure to observe them.

GEO. B. CORTELYOU,
Postmaster General.

It will be seen from this order that all employees of the Government, either in or out of Washington, in the various departments, are placed under the same ban as that of the postal employees. Our ancestors in the old countries struggled for religious liberty and fled to the wilds of America to escape punishment at the hands of imperial bigots, but after they had established their own churches and became masters of society they banished men of conscience who disagreed with them in religion, and in many instances tortured and executed them under the charge of witchcraft. It is the history of all ages that men newly elevated to power often forget the rights of the toiling many, and in order to exemplify their own personal importance dictate grievous orders so severe in terms as to subject the citizen to indignities and impose upon him hardships often endangering his life and health. This order is so severe as to prohibit the postal employee, either directly or indirectly, individually or collectively, through associations of any kind, from soliciting aid for the purpose of relieving himself, no matter how long the hours of his toil or how grievous his burdens.

His mouth is closed and he has but one alternative, and that is to endure the hardships imposed upon him or give up his job. The penalty imposed for a violation of this order is a dismissal from the Government service.

By what authority was this order promulgated? Can anyone answer? There is no authority for it. Section 1 of Article I of the Constitution solemnly declares that "All legislative power herein granted shall be vested in a Congress of the United States." Congress alone has the power to enact laws. It is the duty of the executive department to enforce the law, and it is the duty of the courts to construe the law, but here we have the Executive invading the rights of Congress, enacting law by the promulgation of a decree. The courts have from time to time encroached upon the rights of Congress and usurped to themselves the right to legislate by virtue of blanket injunctions, and have punished citizens of the land summarily for the violation thereof without a trial by jury. By virtue of decrees they have made these injunctions perpetual, thereby giving them the same force as if enacted into law by the solemn act of Congress. Following the example of our courts, the executive department has assumed to itself the right to make laws and, like crowned heads without parliaments, promulgated decrees, styled "Order No. —," as the case may be, dividing it into sections and giving it all the appearance of a valid law, wherein citizens of the country—laboring men—have been deprived of their constitutional rights. The object of this new piece of legislation is to unhorse the Executive in his wild ride. Unless something is done to check these two great and growing constitutional departments of our Government in their mad march of conquest for new powers they will in the course of time swallow up the legislative department, and if Congress exists at all it will be in name only.

If the farmer desires to rid his wheat field of wild onions, he must begin the fight when the onion first makes its appearance by pulling it up by the roots and carrying it away from the field and casting into a fire built for its destruction. If he should wait until the onion spreads all over his field the fight will be in vain and he will be forced to abandon wheat raising on that field. This "gag rule" is a wild onion from the executive department, with the stench of its odor trying to establish itself in the fertile soil of legislative dominion. Let us pull it up by the roots and destroy it in the fire of our zeal and love for the Constitution as it came from the righteous hands of our forefathers.

Mr. Chairman, the present Executive, much to his credit, has somewhat modified the severe terms of this order by issuing the following orders:

SECTION 2.

REMOVALS AND REDUCTIONS OF CLASSIFIED EMPLOYEES.

WASHINGTON, D. C., December 28, 1911.

Order No. 5999.

Under date of December 9, 1911, the President issued the following Executive order amending civil-service rule XII, relating to removals and reductions of classified employees, which is hereby promulgated for the information of the Post Office Department and the postal service:

"RULE XII.—REMOVALS AND REDUCTIONS.

"1. A removal or reduction may be made for any cause which will promote the efficiency of the service, but like penalties shall be imposed for like offenses, and no discrimination shall be exercised for political or religious reasons.

"2. A person whose removal is proposed shall be furnished with a statement of reasons and be allowed a reasonable time for personally answering such reasons in writing; but no examination of witnesses nor any trial or hearing shall be required, except in the discretion of the officer making the removal. Copy of such reasons and answer and of the order of removal shall be made a part of the records of the proper department or office, and the commission shall, upon its request, be furnished with a copy of the record in the case. The above procedure shall be followed in like manner in any reduction in grade or compensation.

"3. Pending action under section 2 of this rule, a person may be suspended or temporarily dismissed without notice for a period not to exceed 30 days, but the reasons for such suspension or dismissal shall be filed in the records of the proper department or office.

"4. The commission shall have no jurisdiction to review the findings of a removing officer upon the reasons and answer provided for in section 2 of this rule, nor shall the commission have authority to investigate any removal or reduction unless it is alleged, with offer of proof, that the procedure required by section 2 of this rule has not been followed, or that the removal was made for political or religious reasons.

FRANK H. HITCHCOCK,
Postmaster General.

Order No. 6206.

APRIL 10, 1912.

Under date of April 8, 1912, the President issued the following Executive order (No. 1514), which is hereby promulgated for the information of the officers and employees of the Post Office Department and postal service:

"It is hereby ordered that petitions or other communications regarding public business addressed to the Congress or either House or any committee or Member thereof by officers or employees in the civil service of the United States shall be transmitted through the heads of their

respective departments or offices, who shall forward them without delay with such comment as they may deem requisite in the public interest. Officers and employees are strictly prohibited, either directly or indirectly, from attempting to secure legislation or to influence pending legislation, except in the manner above prescribed.

"This order supersedes the Executive orders of January 31, 1902, January 25, 1906, and November 26, 1909, regarding the same general matter."

FRANK H. HITCHCOCK,
Postmaster General.

The number of the order of April 10, 1912, is 6206. If all of the Executive orders prior to this one carried with them the elements of laws it reveals very forcibly how extensively the Executive has been engaged in making laws by promulgating decrees.

Some time ago I received a letter from Mr. Walter, editor of the Harpoon, in which he comments on this order. I print it in full, except that portion relating to myself. Mr. Walter appeared before the Committee on Post Offices and Post Roads and furnished us with some very valuable information on this subject.

DENVER, COLO., April 12, 1912.

HON. ROBERT FOWLER,
Washington, D. C.

DEAR SIR: On the 10th instant the President, by Executive order issued through the Civil Service Commission, in a way rescinded the "gag rule."

The new order makes it mandatory upon officials in charge of the various branches of the civil service to forward to Congress and its committees all petitions which their subordinate employees may draft and present; also making it compulsory upon the employees to forward all such petitions through their superior officials.

This order marks a considerable advancement in the struggle for justice which has been waged within the civil service, but it does not allow the full right of direct petition, nor does it guarantee the right of employees to personally appear before congressional committees or to organize into associations having for their purpose the mutual advancement of the employees in connection with their positions.

However, the order of the President is an emphatic recognition of the right for which we have contended, and in which you have so generously assisted us in the past with your expressions of opinion, which have been published in The Harpoon; and therefore, in behalf of the clerks, I wish to congratulate you on the stand that you have taken on this question and to thank you for your past assistance.

I still believe that the Lloyd bill, which guarantees the full right of direct petition and the right to organize, should be passed, as should also the clause in the Post Office bill for that purpose, as now pending.

Yours, truly,

U. A. WALTER, Editor.

The right of the employee to petition directly to Congress or the committees thereof is not recognized in this order, Mr. Chairman. No one should be forced to act through agents or proxies, but all men in America ought to be freemen, with the right to act in person if they see fit in all matters which concern their welfare or happiness.

Mr. Chairman, on close examination it will readily be seen that neither of these orders restores the postal employee to the full measure of his constitutional rights. He still goes about his work with a solemn mien and bowed head. His conversations are held in whispers and his councils are held in secret chambers at unusual hours. That a class of intelligent people should live and labor in such awe and dread is no credit to our free institutions. We want men at the head of this Government like Thomas Jefferson, who know that this Republic was founded upon the doctrine of equal and exact justice to all and special privileges to none; men like Lincoln, whose consciences are schooled in the doctrine that no man is good enough or wise enough to govern another without his consent, and that he who would deny liberty to others is not worthy of it himself; men who have the courage to follow the example of Jesus when confronted with the sin of temptation and unhesitatingly declare to all enemies of liberty, "Get thee behind me, Satan;" men who have the moral courage to respect and be governed by the greatest rule of action ever prescribed for the social conduct of men, "Do unto others as you would have them do unto you."

Mr. Chairman, I have had an occasion to collect some very interesting information connected with the work of railway postal clerks, through the assistance of Mr. Carl C. Van Dyke, of Chicago, once in this class of service but now retired, which will give an idea of some of the hardships connected with this class of service. It deals with the Railway Postal Service between Chicago and Minneapolis. It is intended to illustrate the extreme test to which some of these employees are subjected. It must be remembered that they are required to master the routing of the mail so that they can pitch it without making a mistake, because the speed of the train is so great and the mail is often so large that the force is wholly inadequate to make the proper distribution, and without that high grade accuracy on the part of the force in charge, mails would be delayed for want of proper handling while in transit. To do this, I am informed by those engaged in the business for many years, requires constant study of the most acute and laborious

character. I am informed by the same authority that the force is often so inadequate now that the mail often becomes so congested that it can not be distributed and must be sent to some center for rerouting, thereby delaying its destiny for one and two days at a time.

DELAYED TRAINS.

I now desire to call the attention of the House to the effect delayed trains have on the work of these postal railway clerks. Mr. Van Dyke has furnished me with the data of delayed trains during the months of January and February of this year between Chicago and Minneapolis, which I will extend in the Record:

Report of arrival of Chicago & Minneapolis railway post office trains during the months of January and February, 1912, as shown in official records.

ARRIVAL AT MINNEAPOLIS.

Date.	Train No.	Schedule time.	Time of arrival.	Late.	Train No.	Schedule time.	Time of arrival.	Late.
				<i>h. m.</i>				<i>h. m.</i>
Jan. 1	1	7.45 a.m.	9.15 a.m.	1 30	57	8.15 a.m.	11.21 a.m.	3 06
2	1	7.45 a.m.	9.45 a.m.	2 00	57	8.15 a.m.	10.56 a.m.	2 41
3	1	7.45 a.m.	10.14 a.m.	2 29	57	8.15 a.m.	10.52 a.m.	2 37
4	1	7.45 a.m.	8.58 a.m.	1 13	57	8.15 a.m.	12.00 p.m.	3 45
5	1	7.45 a.m.	12.42 p.m.	4 57	57	8.15 a.m.	1.45 p.m.	5 30
6	1	7.45 a.m.	12.45 p.m.	5 00	57	8.15 a.m.	1.30 p.m.	5 15
7	1	7.45 a.m.	12.04 p.m.	4 19	57	8.15 a.m.	1.30 p.m.	5 15
8	1	7.45 a.m.	1.26 p.m.	5 41	57	8.15 a.m.	1.25 p.m.	3 10
9	1	7.45 a.m.	11.38 a.m.	3 53	57	8.15 a.m.	12.35 p.m.	4 20
10	1	7.45 a.m.	1.45 p.m.	6 00	57	8.15 a.m.	11.23 a.m.	3 08
11	1	7.45 a.m.	11.55 a.m.	4 10	57	8.15 a.m.	12.35 p.m.	4 20
12	1	7.45 a.m.	11.50 a.m.	4 05	57	8.15 a.m.	1.25 p.m.	5 10
13	1	7.45 a.m.	1.26 p.m.	5 41	57	8.15 a.m.	1.00 p.m.	4 45
14	1	7.45 a.m.	9.12 a.m.	1 27	57	8.15 a.m.	9.30 a.m.	1 15
15	1	7.45 a.m.	9.34 a.m.	1 49	57	8.15 a.m.	12.18 p.m.	4 03
16	1	7.45 a.m.	2.30 p.m.	6 45	57	8.15 a.m.	1.23 p.m.	5 13
17	1	7.45 a.m.	.....	.....	57	8.15 a.m.	10.30 a.m.	2 15
18	1	7.45 a.m.	.....	.....	57	8.15 a.m.	10.07 a.m.	1 52
19	1	7.45 a.m.	10.00 a.m.	2 15	57	8.15 a.m.	11.15 a.m.	3 00
20	1	7.45 a.m.	10.00 a.m.	2 15	57	8.15 a.m.	11.55 a.m.	3 40
21	1	7.45 a.m.	11.55 a.m.	4 10	57	8.15 a.m.	10.35 a.m.	2 20
22	1	7.45 a.m.	8.09 a.m.	0 24	57	8.15 a.m.	9.20 a.m.	1 05
23	1	7.45 a.m.	9.05 a.m.	1 20	57	8.15 a.m.	11.36 a.m.	3 21
24	1	7.45 a.m.	8.30 a.m.	0 45	57	8.15 a.m.	10.47 a.m.	2 32
25	1	7.45 a.m.	8.50 a.m.	1 05	57	8.15 a.m.	1.25 p.m.	2 10
26	1	7.45 a.m.	8.16 a.m.	0 31	57	8.15 a.m.	11.20 a.m.	3 05
27	1	7.45 a.m.	9.27 a.m.	1 42	57	8.15 a.m.	10.40 a.m.	2 25
28	1	7.45 a.m.	8.30 a.m.	0 45	57	8.15 a.m.	9.40 a.m.	1 25
29	1	7.45 a.m.	7.50 a.m.	0 05	57	8.15 a.m.	8.50 a.m.	0 35
30	1	7.45 a.m.	7.45 a.m.	0 00	57	8.15 a.m.	8.45 a.m.	0 30
31	1	7.45 a.m.	.....	.....	57	8.15 a.m.	11.55 a.m.	3 40
Total				76 16				94 29
Jan. 1	55	3.15 p.m.	5.47 p.m.	2 32	5	11.00 p.m.	11.25 p.m.	25
2	55	3.15 p.m.	4.30 p.m.	1 15	5	11.00 p.m.	12.15 a.m.	1 15
3	55	3.15 p.m.	5.02 p.m.	1 47	5	11.00 p.m.	11.40 p.m.	40
4	55	3.15 p.m.	5.32 p.m.	2 17	5	11.00 p.m.	12.10 a.m.	1 10
5	55	3.15 p.m.	7.08 p.m.	3 53	5	11.00 p.m.	1.00 a.m.	2 00
6	55	3.15 p.m.	8.30 p.m.	5 15	5	11.00 p.m.	6.15 a.m.	7 15
7	55	3.15 p.m.	1.50 a.m.	10 35	5	11.00 p.m.	4.23 a.m.	5 23
8	55	3.15 p.m.	7.25 p.m.	4 10	5	11.00 p.m.	2.23 a.m.	3 23
9	55	3.15 p.m.	7.00 p.m.	3 45	5	11.00 p.m.	12.07 a.m.	1 07
10	55	3.15 p.m.	7.32 p.m.	4 17	5	11.00 p.m.	1.35 a.m.	2 35
11	55	3.15 p.m.	10.07 p.m.	6 52	5	11.00 p.m.	3.57 a.m.	4 57
12	55	3.15 p.m.	6.00 p.m.	2 45	5	11.00 p.m.	12.55 a.m.	1 55
13	55	3.15 p.m.	5.10 p.m.	1 55	5	11.00 p.m.	1.07 a.m.	2 07
14	55	3.15 p.m.	7.33 p.m.	4 18	5	11.00 p.m.	1.50 a.m.	2 50
15	55	3.15 p.m.	7.54 p.m.	4 39	5	11.00 p.m.	11.35 p.m.	35
16	55	3.15 p.m.	4.40 p.m.	1 25	5	11.00 p.m.	12.04 a.m.	1 05
17	55	3.15 p.m.	4.45 p.m.	1 30	5	11.00 p.m.	11.20 a.m.	20
18	55	3.15 p.m.	5.06 p.m.	1 51	5	11.00 p.m.	11.55 a.m.	55
19	55	3.15 p.m.	4.50 p.m.	1 35	5	11.00 p.m.	1.16 a.m.	2 10
20	55	3.15 p.m.	5.05 p.m.	1 50	5	11.00 p.m.	11.36 p.m.	0 36
21	55	3.15 p.m.	5.30 p.m.	2 15	5	11.00 p.m.	11.13 p.m.	0 13
22	55	3.15 p.m.	4.17 p.m.	1 02	5	11.00 p.m.	11.10 p.m.	0 10
23	55	3.15 p.m.	4.15 p.m.	1 00	5	11.00 p.m.	11.08 p.m.	0 08
24	55	3.15 p.m.	3.31 p.m.	0 16	5	11.00 p.m.	11.28 p.m.	0 28
25	55	3.15 p.m.	7.29 p.m.	4 14	5	11.00 p.m.	11.20 p.m.	0 20
26	55	3.15 p.m.	3.52 p.m.	0 37	5	11.00 p.m.	On time.	.....
27	55	3.15 p.m.	3.45 p.m.	0 30	5	11.00 p.m.	On time.	.....
28	55	3.15 p.m.	5.45 p.m.	2 30	5	11.00 p.m.	12.13 a.m.	1 13
29	55	3.15 p.m.	4.33 p.m.	1 18	5	11.00 p.m.	On time.	.....
30	55	3.15 p.m.	3.40 p.m.	0 25	5	11.00 p.m.	11.50 p.m.	0 50
31	55	3.15 p.m.	4.07 p.m.	0 52	5	11.00 p.m.	On time.	.....
Total				83 25				46 04
Feb. 1	55	3.15 p.m.	6.00 p.m.	2 45	5	11.00 p.m.	11.14 p.m.	0 14
2	55	3.15 p.m.	4.25 p.m.	1 20	5	11.00 p.m.	11.25 p.m.	0 25
3	55	3.15 p.m.	5.30 p.m.	2 15	5	11.00 p.m.	11.43 p.m.	0 43
4	55	3.15 p.m.	5.32 p.m.	2 17	5	11.00 p.m.	On time.	.....
5	55	3.15 p.m.	4.04 p.m.	0 49	5	11.00 p.m.	On time.	.....
6	55	3.15 p.m.	4.57 p.m.	1 42	5	11.00 p.m.	On time.	.....
7	55	3.15 p.m.	4.11 p.m.	0 56	5	11.00 p.m.	11.30 p.m.	0 30
8	55	3.15 p.m.	4.02 p.m.	0 47	5	11.00 p.m.	11.04 p.m.	0 04
9	55	3.15 p.m.	6.19 p.m.	3 04	5	11.00 p.m.	12.23 a.m.	1 23
10	55	3.15 p.m.	4.58 p.m.	1 43	5	11.00 p.m.	11.06 p.m.	0 06
11	55	3.15 p.m.	5.32 p.m.	2 17	5	11.00 p.m.	12.15 a.m.	1 15
12	55	3.15 p.m.	7.18 p.m.	4 03	5	11.00 p.m.	On time.	.....
13	55	3.15 p.m.	5.00 p.m.	1 45	5	11.00 p.m.	On time.	.....
14	55	3.15 p.m.	3.45 p.m.	0 30	5	11.00 p.m.	On time.	.....
15	55	3.15 p.m.	4.25 p.m.	1 10	5	11.00 p.m.	On time.	.....
16	55	3.15 p.m.	4.30 p.m.	1 45	5	11.00 p.m.	12.00 a.m.	1 00
17	55	3.15 p.m.	4.00 p.m.	0 15	5	11.00 p.m.	11.00 p.m.	0 00

Report of arrival of Chicago & Minneapolis railway post office trains during the months of January and February, 1912, as shown in official records—Continued.

ARRIVAL AT MINNEAPOLIS—continued.

Date.	Train No.	Schedule time.	Time of arrival.	Late.	Train No.	Schedule time.	Time of arrival.	Late.
				<i>h. m.</i>				<i>h. m.</i>
18	55	3.15 p.m.	3.50 p.m.	0 35	5	11.00 p.m.	10.50 p.m.	0 00
19	55	3.15 p.m.	3.50 p.m.	0 35	5	11.00 p.m.	11.00 p.m.	0 00
20	55	3.15 p.m.	4.12 p.m.	0 57	5	11.00 p.m.	12.32 a.m.	1 32
21	55	3.15 p.m.	3.44 p.m.	0 29	5	11.00 p.m.	11.00 p.m.	0 00
22	55	3.15 p.m.	4.08 p.m.	0 53	5	11.00 p.m.	11.00 p.m.	0 00
23	55	3.15 p.m.	4.07 p.m.	0 52	5	11.00 p.m.	10.50 p.m.	0 00
24	55	3.15 p.m.	3.32 p.m.	0 17	5	11.00 p.m.	12.40 p.m.	1 40
25	55	3.15 p.m.	4.20 p.m.	1 05	5	11.00 p.m.	10.55 p.m.	0 00
26	55	3.15 p.m.	4.54 p.m.	1 49	5	11.00 p.m.	11.46 p.m.	0 46
27	55	3.15 p.m.	3.33 p.m.	0 18	5	11.00 p.m.	11.07 p.m.	0 07
28	55	3.15 p.m.	4.35 p.m.	1 20	5	11.00 p.m.	10.55 p.m.	0 00
29	55	3.15 p.m.	3.20 p.m.	0 05	5	11.00 p.m.	11.50 p.m.	0 50
Total				38 38				9 55
Feb. 1	1	7.45 a.m.	8.05 a.m.	0 20	57	8.15 a.m.	8.55 a.m.	0 40
2	1	7.45 a.m.	9.33 a.m.	1 48	57	8.15 a.m.	10.26 a.m.	2 11
3	1	7.45 a.m.	8.55 a.m.	1 10	57	8.15 a.m.	11.35 a.m.	3 20
4	1	7.45 a.m.	9.05 a.m.	1 20	57	8.15 a.m.	11.50 a.m.	3 35
5	1	7.45 a.m.	8.40 a.m.	0 55	57	8.15 a.m.	10.38 a.m.	2 23
6	1	7.45 a.m.	8.00 a.m.	0 15	57	8.15 a.m.	8.30 a.m.	0 15
7	1	7.45 a.m.	8.00 a.m.	0 15	57	8.15 a.m.	1.40 p.m.	5 25
8	1	7.45 a.m.	7.52 a.m.	0 07	57	8.15 a.m.	11.08 a.m.	2 53
9	1	7.45 a.m.	9.00 a.m.	1 15	57	8.15 a.m.	1.50 p.m.	5 35
10	1	7.45 a.m.	8.39 a.m.	0 54	57	8.15 a.m.	10.20 a.m.	2 05
11	1	7.45 a.m.	11.50 a.m.	3 05	57	8.15 a.m.	9.22 a.m.	1 07
12	1	7.45 a.m.	7.45 a.m.	0 00	57	8.15 a.m.	10.00 a.m.	1 45
13	1	7.45 a.m.	10.36 a.m.	2 51	57	8.15 a.m.	9.20 a.m.	1 05
14	1	7.45 a.m.	8.46 a.m.	1 01	57	8.15 a.m.	9.45 a.m.	1 30
15	1	7.45 a.m.	On time.	.....	57	8.15 a.m.	10.00 a.m.	1 45
16	1	7.45 a.m.	8.50 a.m.	1 05	57	8.15 a.m.	9.38 a.m.	1 23
17	1	7.45 a.m.	9.55 a.m.	2 10	57	8.15 a.m.	11.08 a.m.	2 53
18	1	7.45 a.m.	7.55 a.m.	0 05	57	8.15 a.m.	9.12 a.m.	0 57
19	1	7.45 a.m.	7.50 a.m.	0 05	57	8.15 a.m.	9.08 a.m.	0 53
20	1	7.45 a.m.	8.42 a.m.	0 57	57	8.15 a.m.	9.05 a.m.	0 55
21	1	7.45 a.m.	8.07 a.m.	0 22	57	8.15 a.m.	9.40 a.m.	1 25
22	1	7.45 a.m.	11.32 a.m.	3 47	57	8.15 a.m.	9.55 a.m.	1 40
23	1	7.45 a.m.	8.07 a.m.	0 04	57	8.15 a.m.	8.19 a.m.	0 04
24	1	7.45 a.m.	9.02 a.m.	1 17	57	8.15 a.m.	9.32 a.m.	1 17
25	1	7.45 a.m.	8.15 a.m.	0 30	57	8.15 a.m.	8.50 a.m.	0 35
26	1	7.45 a.m.	7.50 a.m.	0 05	57	8.15 a.m.	9.04 a.m.	0 49
27	1	7.45 a.m.	8.40 a.m.	0 55	57	8.15 a.m.	9.35 a.m.	1 20
28	1	7.45 a.m.	7.50 a.m.	0 05	57	8.15 a.m.	9.40 a.m.	1 25
29	1	7.45 a.m.	7.57 a.m.	0 12	57	8.15 a.m.	10.22 a.m.	2 07
Total				32 05				52 17

ARRIVAL IN CHICAGO.

Date.	Train No.	Schedule time.	Arrival.	Late.
				<i>h. m.</i>
Jan. 8	4	9.05 a.m.	1.35 p.m.	4 30
9	4	9.05 a.m.	1.55 p.m.	4 50
10	4	9.05 a.m.	1.20 p.m.	4 15
11	4	9.05 a.m.	1.45 p.m.	4 40
12	4	9.05 a.m.	1.30 p.m.	4 25
13	4	9.05 a.m.	12.07 p.m.	3 02
14	4	9.05 a.m.	11.27 a.m.	2 22
15	4	9.05 a.m.	2.20 p.m.	5 15
16	4	9.05 a.m.	10.36 a.m.	1 31
17	4	9.05 a.m.	10.18 a.m.	1 13
18	4	9.05 a.m.	10.03 a.m.	0 58
19	4	9.05 a.m.	11.39 a.m.	2 34
20	4	9.05 a.m.	11.00 a.m.	1 55
21	4	9.05 a.m.	12.25 p.m.	3 20
22	4	9.05 a.m.	9.40 a.m.	0 35
23	4	9.05 a.m.	10.38 a.m.	1 33
24	4	9.05 a.m.	9.40 a.m.	0 35
25	4	9.05 a.m.	10.31 a.m.	1 26
26	4	9.05 a.m.	10.35 a.m.	1 30
27	4	9.05 a.m.	10.54 a.m.	1 49
28	4	9.05 a.m.	10.00 a.m.	0 55
29	4	9.05 a.m.	9.52 a.m.	0 47
30	4	9.05 a.m.	9.25 a.m.	0 20
31	4	9.05 a.m.	9.10 a.m.	0 05
Feb. 1	4	9.05 a.m.	10.02 a.m.	0 57
2	4	9.05 a.m.	9.25 a.m.	0 20
3	4	9.05 a.m.	9.50 a.m.	0 45
4	4	9.05 a.m.	9.57 a.m.	0 52
5	4	9.05 a.m.	9.25 a.m.	0 20
6	4	9.05 a.m.	9.22 a.m.	0 17
7	4	9.05 a.m.	On time.	.....
8	4	9.05 a.m.	9.20 a.m.	0 15
9	4	9.05 a.m.	9.15 a.m.	0 10
10	4	9.05 a.m.	9.45 a.m.	0 40
11	4	9.05 a.m.	10.58 a.m.	0 53
12	4	9.05 a.m.	9.09 a.m.	0 04
13	4	9.05 a.m.	9.25 a.m.	0 20
14	4	9.05 a.m.	9.15 a.m.	0 10
15	4	9.05 a.m.	9.42 a.m.	0 37
16	4	9.05 a.m.	On time.	.....
17	4	9.05 a.m.	On time.	.....
18	4	9.05 a.m.	12.11 p.m.	3 06
19	4	9.05 a.m.	On time.	.....
20	4	9.05 a.m.	9.18 a.m.	0 13
Total time lost				64 24

Report of arrival of Chicago & Minneapolis railway post office trains during the months of January and February, 1912, as shown in official records—Continued.

ARRIVAL IN CHICAGO—continued.

Date.	Train No.	Schedule time.	Arrival.	Late.	Train No.	Schedule time.	Arrival.	Late.
				<i>h. m.</i>				<i>h. m.</i>
Jan. 8	58	1.45 a.m.	4.58 a.m.	3 13	56	7.00 a.m.	1.00 p.m.	6 00
9	58	1.45 a.m.	4.38 a.m.	2 53	56	7.00 a.m.	1.30 p.m.	6 30
10	58	1.45 a.m.	3.04 a.m.	1 19	56	7.00 a.m.	1.43 p.m.	6 43
11	58	1.45 a.m.	3.55 a.m.	2 10	56	7.03 a.m.	1.00 p.m.	6 05
12	58	1.45 a.m.	2.25 a.m.	0 40	56	7.00 a.m.	10.55 a.m.	3 50
13	58	1.45 a.m.	4.28 a.m.	2 43	56	7.00 a.m.	11.02 a.m.	4 02
14	58	1.45 a.m.	5.25 a.m.	3 40	56	7.00 a.m.	8.34 a.m.	1 34
15	58	1.45 a.m.	6.21 a.m.	4 36	56	7.00 a.m.	12.02 p.m.	5 02
16	58	1.45 a.m.	3.21 a.m.	1 36	56	7.00 a.m.	10.23 a.m.	3 23
17	58	1.45 a.m.	5.45 a.m.	4 00	56	7.00 a.m.	11.05 a.m.	4 05
18	58	1.45 a.m.	2.50 a.m.	1 05				
19	58	1.45 a.m.	4.29 a.m.	2 44	56	7.00 a.m.	9.00 a.m.	2 00
20	58	1.45 a.m.	3.21 a.m.	1 36	56	7.00 a.m.	9.05 a.m.	2 05
21	58	1.45 a.m.	3.50 a.m.	2 05	56	7.00 a.m.	9.50 a.m.	2 50
22	58	1.45 a.m.	1.55 a.m.	0 10	56	7.00 a.m.	8.16 a.m.	1 16
23	58	1.45 a.m.	2.08 a.m.	0 23	56	7.00 a.m.	7.44 a.m.	0 44
24	58	1.45 a.m.	2.26 a.m.	0 41	56	7.00 a.m.	8.10 a.m.	1 10
25	58	1.45 a.m.	2.17 a.m.	0 32	56	7.00 a.m.	9.30 a.m.	2 30
26	58	1.45 a.m.	3.35 a.m.	1 50	56	7.00 a.m.	7.47 a.m.	0 47
27	58	1.45 a.m.	5.18 a.m.	3 33	56	7.00 a.m.	7.25 a.m.	0 25
28	58	1.45 a.m.	2.55 a.m.	1 10	56	7.00 a.m.	7.50 a.m.	0 50
29	58	1.45 a.m.	2.17 a.m.	0 32	56	7.00 a.m.	7.32 a.m.	0 32
30	58	1.45 a.m.	2.05 a.m.	0 20	56	7.00 a.m.	7.05 a.m.	0 05
31	58	1.45 a.m.	2.01 a.m.	0 16	56	7.00 a.m.	7.25 a.m.	0 25
Feb. 1	58	1.45 a.m.	1.55 a.m.	0 10	56	7.00 a.m.	8.20 a.m.	1 20
2	58	1.45 a.m.	4.37 a.m.	2 52	56	7.00 a.m.	8.55 a.m.	1 55
3	58	1.45 a.m.	2.30 a.m.	0 45	56	7.00 a.m.	8.20 a.m.	1 20
4	58	1.45 a.m.	On time.	.....	56	7.00 a.m.	8.35 a.m.	1 35
5	58	1.45 a.m.	On time.	.....	56	7.00 a.m.	7.25 a.m.	0 25
6	58	1.45 a.m.	3.44 a.m.	1 59	56	7.00 a.m.	On time.	.....
7	58	1.45 a.m.	4.45 a.m.	3 00	56	7.00 a.m.	7.22 a.m.	0 22
8	58	1.45 a.m.	On time.	.....	56	7.00 a.m.	8.45 a.m.	1 45
9	58	1.45 a.m.	On time.	.....	56	7.00 a.m.	7.03 a.m.	0 03
10	58	1.45 a.m.	3.10 a.m.	1 25	56	7.00 a.m.	7.55 a.m.	0 55
11	58	1.45 a.m.	2.16 a.m.	0 31	56	7.00 a.m.	7.30 a.m.	0 30
12	58	1.45 a.m.	2.03 a.m.	0 18	56	7.00 a.m.	On time.	.....
13	58	1.45 a.m.	1.57 a.m.	0 12	56	7.00 a.m.	7.40 a.m.	0 40
14	58	1.45 a.m.	4.28 a.m.	2 43	56	7.00 a.m.	On time.	.....
15	58	1.45 a.m.	1.53 a.m.	0 08	56	7.00 a.m.	On time.	.....
16	58	1.45 a.m.	2.10 a.m.	0 25	56	7.00 a.m.	On time.	.....
17	58	1.45 a.m.	2.40 a.m.	0 55	56	7.00 a.m.	7.40 a.m.	0 40
18	58	1.45 a.m.	2.10 a.m.	0 25	56	7.00 a.m.	On time.	.....
19	58	1.45 a.m.	1.48 a.m.	0 03	56	7.00 a.m.	On time.	.....
20	58	1.45 a.m.	2.00 a.m.	0 15	56	7.00 a.m.	7.43 a.m.	0 43
21	58	1.45 a.m.	1.55 a.m.	0 10	56	7.00 a.m.	7.14 a.m.	0 14
Total				59 59				75 35
Jan. 8	22	1.00 p.m.	2.25 p.m.	1 25	6	9.10 p.m.	1.20 a.m.	4 10
9	22	1.00 p.m.	3.00 p.m.	2 00	6	9.10 p.m.	10.15 p.m.	1 05
10	22	1.00 p.m.	4.25 p.m.	3 25	6	9.10 p.m.	11.32 p.m.	2 22
11	22	1.00 p.m.	3.25 p.m.	2 25	6	9.10 p.m.	12.06 a.m.	2 56
12	22	1.00 p.m.	2.15 p.m.	1 15	6	9.10 p.m.	1.47 a.m.	4 37
13	22	1.00 p.m.	1.30 p.m.	0 30	6	9.10 p.m.	10.30 p.m.	1 20
14	22	1.00 p.m.	Sunday.	.....	6	9.10 p.m.	10.50 p.m.	1 40
15	22	1.00 p.m.	2.45 p.m.	1 45	6	9.10 p.m.	10.29 p.m.	1 19
16	22	1.00 p.m.	3.55 p.m.	2 55	6	9.10 p.m.	9.50 p.m.	0 40
17	22	1.00 p.m.	4.07 p.m.	3 07	6	9.10 p.m.	9.25 p.m.	0 15
18	22	1.00 p.m.	1.30 p.m.	0 30	6	9.10 p.m.	9.20 p.m.	0 10
19	22	1.00 p.m.	3.17 p.m.	2 17	6	9.10 p.m.	10.52 p.m.	0 42
20	22	1.00 p.m.	1.30 p.m.	0 30	6	9.10 p.m.	9.20 p.m.	0 10
21	22	1.00 p.m.	Sunday.	.....	6	9.10 p.m.	On time.	.....
22	22	1.00 p.m.	1.27 p.m.	0 27	6	9.10 p.m.	9.27 p.m.	0 17
23	22	1.00 p.m.	4.25 p.m.	3 25	6	9.10 p.m.	10.15 p.m.	0 05
24	22	1.00 p.m.	4.05 p.m.	3 05	6	9.10 p.m.	9.27 p.m.	0 17
25	22	1.00 p.m.	2.18 p.m.	1 18	6	9.10 p.m.	9.35 p.m.	0 25
26	22	1.00 p.m.	2.15 p.m.	1 15	6	9.10 p.m.	9.10 p.m.	.....
27	22	1.00 p.m.	2.05 p.m.	1 05	6	9.10 p.m.	9.47 p.m.	0 37
28	22	1.00 p.m.	Sunday.	.....	6	9.10 p.m.	9.55 p.m.	0 45
29	22	1.00 p.m.	1.40 p.m.	0 40	6	9.10 p.m.	9.31 p.m.	0 21
30	22	1.00 p.m.	2.00 p.m.	1 00	6	9.10 p.m.	10.25 p.m.	1 15
31	22	1.00 p.m.	On time.	.....	6	9.10 p.m.	9.12 p.m.	0 02
Feb. 1	22	1.00 p.m.	1.15 p.m.	0 10	6	9.10 p.m.	9.54 p.m.	0 44
2	22	1.00 p.m.	1.15 p.m.	0 15	6	9.10 p.m.	On time.	.....
3	22	1.00 p.m.	1.47 p.m.	0 47	6	9.10 p.m.	10.22 p.m.	1 12
4	22	1.00 p.m.	Sunday.	.....	6	9.10 p.m.	9.17 p.m.	0 07
5	22	1.00 p.m.	2.40 p.m.	1 40	6	9.10 p.m.	9.55 p.m.	0 45
6	22	1.00 p.m.	3.52 p.m.	2 52	6	9.10 p.m.	9.15 p.m.	0 05
7	22	1.00 p.m.	1.25 p.m.	0 25	6	9.10 p.m.	9.25 p.m.	0 15
8	22	1.00 p.m.	1.10 p.m.	0 10	6	9.10 p.m.	9.14 p.m.	0 04
9	22	1.00 p.m.	1.00 p.m.	.....	6	9.10 p.m.	9.35 p.m.	0 25
10	22	1.00 p.m.	3.55 p.m.	2 55	6	9.10 p.m.	9.13 p.m.	0 03
11	22	1.00 p.m.	Sunday.	.....	6	9.10 p.m.	10.23 p.m.	1 13
12	22	1.00 p.m.	3.55 p.m.	2 55	6	9.10 p.m.	10.10 p.m.	1 00
13	22	1.00 p.m.	2.00 p.m.	1 00	6	9.10 p.m.	On time.	.....
14	22	1.00 p.m.	1.05 p.m.	0 05	6	9.10 p.m.	On time.	.....
15	22	1.00 p.m.	1.15 p.m.	0 15	6	9.10 p.m.	9.20 p.m.	0 10
16	22	1.00 p.m.	1.10 p.m.	0 10	6	9.10 p.m.	9.25 p.m.	0 15
17	22	1.00 p.m.	3.55 p.m.	2 55	6	9.10 p.m.	9.40 p.m.	0 30
18	22	1.00 p.m.	Sunday.	.....	6	9.10 p.m.	9.17 p.m.	0 07
19	22	1.00 p.m.	1.20 p.m.	0 20	6	9.10 p.m.	On time.	.....
20	22	1.00 p.m.	1.10 p.m.	0 10	6	9.10 p.m.	9.20 p.m.	0 10
Total				14 23				32 45
Jan. 8	26	5.55 p.m.	6.35 p.m.	0 40	16	11.59 a.m.	2.27 p.m.	2 28
9	26	5.55 p.m.	6.32 p.m.	0 37	16	11.59 a.m.	4.40 p.m.	4 41
10	26	5.55 p.m.	7.00 p.m.	1 05	16	11.59 a.m.	2.12 p.m.	2 13
11	26	5.55 p.m.	6.35 p.m.	0 40	16	11.59 a.m.	4.00 p.m.	4 01
12	26	5.55 p.m.	7.15 p.m.	1 20	16	11.59 a.m.	6.00 p.m.	6 01
13	26	5.55 p.m.	6.30 p.m.	0 35	16	11.59 a.m.	5.55 p.m.	5 56
14	26	5.55 p.m.	Sunday.	.....	16	11.59 a.m.	12.45 p.m.	0 46
15	26	5.55 p.m.	6.40 p.m.	0 45	16	11.59 a.m.	6.15 p.m.	6 16

Report of arrival of Chicago & Minneapolis railway post office trains during the months of January and February, 1912, as shown in official records—Continued.

ARRIVAL IN CHICAGO—continued.

Date.	Train No.	Schedule time.	Arrival.	Late.	Train No.	Schedule time.	Arrival.	Late.
				<i>h. m.</i>				<i>h. m.</i>
Jan. 16	26	5.55 p.m.	6.30 p.m.	0 35	16	11.59 a.m.	5.05 p.m.	5 06
17	26	5.55 p.m.	On time.	.....	16	11.59 a.m.	12.48 p.m.	0 49
18	26	5.55 p.m.	On time.	.....	16	11.59 a.m.	5.00 p.m.	5 01
19	26	5.55 p.m.	6.07 p.m.	0 12	16	11.59 a.m.	3.15 p.m.	3 16
20	26	5.55 p.m.	6.40 p.m.	0 45	16	11.59 a.m.	12.55 p.m.	0 56
21	26	5.55 p.m.	Sunday.	.....	16	11.59 a.m.	5.05 p.m.	5 06
22	26	5.55 p.m.	6.45 p.m.	0 50	16	11.59 a.m.	4.15 p.m.	4 16
23	26	5.55 p.m.	On time.	.....	16	11.59 a.m.	3.10 p.m.	3 11
24	26	5.55 p.m.	6.01 p.m.	0 06	16	11.59 a.m.	2.36 p.m.	2 37
25	26	5.55 p.m.	5.58 p.m.	0 03	16	11.59 a.m.	12.55 p.m.	0 56
26	26	5.55 p.m.	6.06 p.m.	0 11	16	11.59 a.m.	1.20 p.m.	1 21
27	26	5.55 p.m.	6.00 p.m.	0 05	16	11.59 a.m.	1.20 p.m.	1 21
28	26	5.55 p.m.	Sunday.	.....	16	11.59 a.m.	3.20 p.m.	3 21
29	26	5.55 p.m.	6.05 p.m.	0 10	16	11.59 a.m.	12.07 p.m.	0 08
30	26	5.55 p.m.	6.05 p.m.	0 10	16	11.59 a.m.	On time.	.....
31	26	5.55 p.m.	On time.	.....	16	11.59 a.m.	1.55 p.m.	1 56
Feb. 1	26	5.55 p.m.	On time.	.....	16	11.59 a.m.	12.15 p.m.	0 16
2	26	5.55 p.m.	6.00 p.m.	0 05	16	11.59 a.m.	1.45 p.m.	1 46
3	26	5.55 p.m.	6.01 p.m.	0 06	16	11.59 a.m.	1.47 p.m.	1 48
4	26	5.55 p.m.	Sunday.	.....	16	11.59 a.m.	12.45 p.m.	0 46
5	26	5.55 p.m.	6.15 p.m.	0 20	16	11.59 a.m.	3.55 p.m.	3 56
6	26	5.55 p.m.	6.17 p.m.	0 22	16	11.59 a.m.	2.00 p.m.	2 01
7	26	5.55 p.m.	On time.	.....	16	11.59 a.m.	12.55 p.m.	0 56
8	26	5.55 p.m.	On time.	.....	16	11.59 a.m.	On time.	.....
9	26	5.55 p.m.	6.15 p.m.	0 20	16	11.59 a.m.	12.33 p.m.	0 34
10	26	5.55 p.m.	7.28 p.m.	1 33	16	11.59 a.m.	2.35 p.m.	2 36
11	26	5.55 p.m.	Sunday.	.....	16	11.59 a.m.	4.58 p.m.	4 59
12	26	5.55 p.m.	On time.	.....	16	11.59 a.m.	2.39 p.m.	2 40
13	26	5.55 p.m.	5.58 p.m.	0 03	16	11.59 a.m.	12.30 p.m.	0 31
14	26	5.55 p.m.	6.25 p.m.	0 30	16	11.59 a.m.	12.15 p.m.	0 16
15	26	5.55 p.m.	6.11 p.m.	0 16	16	11.59 a.m.	12.00 p.m.	0 01
16	26	5.55 p.m.	7.38 p.m.	1 43	16	11.59 a.m.	On time.	.....
17	26	5.55 p.m.	6.40 p.m.	0 45	16	11.59 a.m.	12.50 p.m.	0 51
18	26	5.55 p.m.	Sunday.	.....	16	11.59 a.m.	On time.	.....
19	26	5.55 p.m.	On time.	.....	16	11.59 a.m.	12.44 p.m.	0 45
20	26	5.55 p.m.	7.30 p.m.	1 35	16	11.59 a.m.	On time.	.....
Total	.....	.....	.....	16 27	.....	.....	.....	96 34

Mr. Chairman, this data of late trains, when considered in connection with the high rate of speed traveled, the long hours of continuous physical and mental strain, forces us to the inevitable conclusion that two great evils exist in this class of work which impairs our mail service, one of which is overwork of the employee, which incapacitates him for his best service, and the other is the inadequate supply of men to do the work, often occasioned by the overwork of the crews. Long hours of physical servitude are very trying on the human system, but when coupled with long hours of continuous mental strain the drain on the system is doubled and its effects are far-reaching and much more serious.

The crew on train No. 1 go to work in Chicago at 2 p. m. and arrive in Minneapolis at 7.45 a. m. the next morning, making one continuous run of 17 hours and 45 minutes, during all of which time the crew is put to the extreme test of both physical and mental activity. During the entire months of January and February last this train was not on time more than two or three times, and it has been behind as much as 6 hours and 45 minutes, thereby increasing the already long consecutive working hours of the postal clerk from 17 hours and 45 minutes to 24 hours and 30 minutes. The crew on train 57 go to work in Chicago at 6.36 p. m. and arrive in Minneapolis the next day at 11.21 a. m., making one continuous run of 17 hours and 15 minutes, during all of which time the postal clerk is compelled to exert himself both physically and mentally without ceasing. This train was late every day during the entire months of January and February, sometimes as late as 5 hours and 35 minutes, thereby increasing the long hours of servitude of the postal clerk from 17 hours and 45 minutes to 22 hours and 50 minutes. During these two months the postal clerks put in on this train alone 146 hours and 46 minutes extra time on account of delay without any compensation whatever. During these two months each clerk put in 24 hours and 30 minutes extra time without pay.

The postal clerks on this line, not including the extra time occasioned by delayed trains, average 8 hours a day for 313 days in the year. The work is too hard and will necessarily result in poor mail service. I am told that these crews are undermanned and are wholly inadequate for the amount of work to be done. As a result, the trains arriving in western terminals have large amounts of unworked mail, which must be carried back to St. Paul in order to make connections out at that point, thereby delaying important mail at least 24 hours. This gives bad service and ought to be corrected by putting on more men and giving them shorter hours of consecutive work. The service demands it, and fairness to the railway postal clerk demands it.

Take the line between New York and Pittsburgh. Train No. 45 on this line leaves New York at 6.30 p. m., but the crew are required to begin work at 3 p. m. in the railway post office at New York until the train leaves. It arrives in Pittsburgh at 3.57 a. m. the next morning, giving the clerks a continuous run of hard work for 12 hours and 57 minutes. The mail crew go on duty on train No. 21 at 11 a. m. and work continuously until it arrives at Pittsburgh at 2.16 a. m. the next day, giving to these clerks a consecutive run of hard physical and mental strain of 15 hours and 16 minutes. This is the schedule time and whatever time is put in because of the delay of trains adds to the already long, arduous hours of toil. Trains 28 and 29, mail trains between New York and Pittsburgh, two of the fastest in the world, have a schedule time of 8 hours, yet the clerks are required to make 3 round trips on these trains, with but 4 hours off at New York, traveling a distance of 2,634 miles, a distance of more than two-thirds across the American Continent, performing active services all the time, with an accumulation of mail often too large to be worked. What is true of the work on these two great thoroughfares is more or less true with all of the mail service on other lines.

Mr. Chairman, ordinary labor is conducive to good health, but long hours of consecutive labor requiring a high tension of mental activity will destroy health in the course of time. I am told by those who have been in this class of service for many years that in order to keep up with the requirements it is necessary for the clerk to go over the work continually, thereby taxing his mental powers constantly at a high tension, endangering his life and health.

As a result of long hours of consecutive hard labor, entailing upon the clerk prolonged acute mental strain, without rest, many of these unfortunate employees have lost their reason and died in madhouses. A short time ago the press reported a case of a railway-postal clerk who was employed on the mail trains between New York and Chicago, who became unbalanced, left the train, and went to the seashore and committed suicide by drowning. On one of our main thoroughfares, within the last few years, no less than eight of these employees became unbalanced and died in madhouses. I have all of their names and the place of their confinement, but I can not give them to the public, neither can I give the source of my information for fear that the Post Office Department will wreak vengeance on some unfortunate postal clerk by dismissing him from the service. This is the first time I have ever been confronted with fear and trembling, not so much for myself, but for public servants who brave the dangers to life and health in order that the public may be supplied with the intelligence of the times. This is enough to make the skeleton of Jefferson turn over in its quiet grave at Monticello and speak with the rattle of bones that immortal prophetic warning, "Eternal vigilance is the price of liberty."

Mr. Chairman, there ought to be an investigation by Congress to determine the extent of the burdens of these postal clerks, with expert medical testimony as to the effect long hours of continuous physical and mental strain have on the health and lives of these public servants. There is no doubt in my mind but that they are taxed unreasonably and that the long hours should be shortened and a frequent opportunity given for rest. I am inclined to believe that six hours is long enough on these fast mail trains for a day's work. This great Government should have proficiency in its public service, but it ought to be humane and spare its servants from pain and suffering brought about by unreasonable hours of toil.

We have a law on the statute books prohibiting the railroads from working railroad employees more than 16 consecutive hours on trains. I think this is too long, and I have no doubt but in the course of time the number of hours of continuous work will be shortened. The safety of the traveling public and the life and health of the servant and his happiness demand it. But in the postal service we permit employees to be taxed for nearly 18 hours of consecutive work without rest, wherein the powers of the mind and body alike are required to be wrought up to the extreme tension reaching in many cases the breaking point.

It is said that one drop of blood shed by a master's lash outweighed a nation's gold. Is one drop of such blood worth any more to the nation than the mind of a public employee, dethroned of reason by the torture of long hours of mental strain, taxed to the breaking point? How much more gold is the one worth to the nation than the other? There is this difference: In the one case it is the individual who is the master shedding blood by the lash and in the other it is the nation, taxing employees with long hours of extreme mental strain, which unbalances them and sends them to madhouses to languish and die. The question of liberty and humanity are in-

volved in one the same as in the other. I say, Mr. Chairman, that it is a disgrace to the American people that such a condition should exist in the public service of the United States, and I am ready to cast my vote to correct such inhuman practice. [Applause.]

I insert in my remarks some interesting observations by Messrs. C. W. Lahr and August Bindeman on the hours of railway postal clerks, and so forth, which is taken from the hearings before the Committee on the Post Office and Post Roads:

A.

HOURS OF ROAD DUTY.

WASHINGTON, D. C., September 26, 1911.

HON. JOSEPH STEWART,

Second Assistant Postmaster General, Washington, D. C.

SIR: In presenting the resolution passed at the Syracuse convention, which is as follows: "Resolved, That we think a minimum of five hours and a maximum of six hours road duty should be considered as the standard for a day's work," we desire to say:

This resolution was drawn in a spirit of fairness, after careful thought, by a committee of men familiar with all the conditions pertaining to the service. It received the unanimous indorsement of the convention.

At the beginning we desire to impress upon you that the Railway Mail Service is a service peculiar to itself, and no other service under the Government, and, for that matter, no other work or profession, resembles it in a general way.

The duties of a railway postal clerk are twofold in their character, i. e., constant mental activity combined with rigorous physical effort. Herein lies the difference from all other public or private service, for nowhere else is this required in so great a degree. Under these circumstances, was the order of the Post Office Department fixing a standard day for the Railway Mail Service altogether warranted by the existing conditions and especially in setting the minimum so high, namely, 5 hours and 45 minutes to 6 hours and 30 minutes?

The kind of work we do, the conditions under which we do it, as well as the preparation necessary for the proper performance of this work, entitles us to the most liberal consideration from the Post Office Department.

In presenting argument in support of the resolution we wish to dwell more particularly on the physical phase of the question than on a comparison of runs or lines or with other professions.

It must first be remembered that the railway mail clerk is a physically fit person. He must have passed a careful and searching examination by a responsible physician. He must be sound in all his members and have possession of all his faculties.

The course of preparation necessary for him to follow is complex as well as thorough and must be constantly studied by him during his entire official life. His value as a servant to the department depends on his application to these studies, for the reason that as soon as he neglects them his work deteriorates and the public's interests suffer; hence the necessity for his constant attention.

The time devoted in the preparation for our work is equivalent to the time spent in preparation for any of the professions. The degree of excellence required is almost absolute perfection, and anything less than that is reflected in the checking system. This spurs men to constant study and strict attention to their duty.

The railway mail clerk must put up in examinations every three years from 6,000 to 15,000 cards or offices, and these must be reviewed at regular intervals. The percentage required is 98 or better, a higher percentage than is required by any institution of learning in the land, and on this feature of our work rests the fabric of the Post Office Department.

It is an acknowledged fact that the efficiency of the Railway Mail Service of this country can not be approached anywhere in the world, either for accuracy or dispatch, and this high state of proficiency is only possible by constant application.

In describing the physical labors involved in the performance of our duties we hope to show that the strenuous character of our work entitles us to the most liberal time allowance.

On the heavy trunk lines, where the trains are made up of two or more cars, and where sufficient porter help is not allowed, considerable time is consumed in dragging and piling the heavy block matter dispatched from the important publishing centers. It frequently happens that large quantities of this class of mail are received at one junction, and when dragged and piled the men are nearly in a state of exhaustion.

This work is done under the most adverse conditions on rapidly moving trains and swaying cars. Men are frequently compelled to handle sacks weighing from 150 to 190 pounds, requiring two and often three men to pile the same. The lifting under these conditions subjects the men to an unusual strain and very often results in permanent injury. In the performance of work of this character, under existing conditions, the liability of rupture is always present and it frequently occurs.

The constant strain to the nervous system is one of the most important features in our consideration and worthy of much thought. Competent physicians say the railway mail clerk does not regain his normal condition within 24 hours to 36 hours after ending his tour of duty, and that complete rest from mental or physical effort should follow to restore depleted vitality.

At the same time the nature of our work exposes us to contagion or infection. The dust-filled cars, caused by the unclean sacks and pouches, furnishes the medium through which disease may be communicated.

We also desire to call your attention to the constant eye strain. A man with defective eyes or vision can not enter the Railway Mail Service, yet disordered vision is one of the most common ailments among clerks. Light experts claim the light least injurious to the eyes is the soft diffused light, well scattered and of equal brilliance. But years of experience proves to the postal clerk that to perform his duties he must have an intense light and concentrated brilliance. Working under these conditions rapidly affects the eyes.

We would ask you to carefully consider the irregular habits imposed on the men by the exigencies of the service. Pinkerton's motto, "We never sleep," is equally true of the Railway Mail Service. In many cases the men are compelled to completely reverse their natural habits and perform service under directly opposite conditions. This is no easy matter, and must necessarily cause a constant struggle with nature. Irregular hours for working, eating, and sleeping, combined with the other exactions, deserve consideration.

We would remind you that the department makes no compensatory allowance for service performed at night. Canada makes a distinction and pays the night lines a larger salary and travel allowance.

One of the principal arguments in support of this resolution is the reason first stated. The work is of a twofold character—mental combined with physical. Herein lies our strongest claim for concessions. The kind of service we perform is best shown by describing a night's work. Last Friday night three city distributors on one New York and Pittsburgh train worked 1,037 packages of letters, averaging 345 packages per man. The average number of letters to the package is about 30, making 10,350 letters to be distributed by each man. Had anyone told an inexperienced person to stand before a case and push his arm back and forth, piston-rod like, for that number of times he would have said it was a physical impossibility; yet this was done, and not that alone, for every movement of the arm was directed by a distinct mental effort, accurately controlling the destination of each letter. It was, indeed, a marvelous piece of work, yet it is being done daily by the distributing force of the Railway Mail Service. It would be beyond the range of human possibility for anyone to work at this speed for any great length of time. Complete mental and physical collapse would be the inevitable result.

This is the machine, composed of bone, nerve, and tissue, the Post Office Department expects shall give from five and three-fourths to six and one-half hours' service as a minimum for a standard day of road duty.

I tell you, sir, the railway postal clerk is not a machine. There is a limit to his powers of endurance. The department knows the work requires the greatest mental activity as well as the most exhausting physical effort, and this combination, unless surrounded by the most favorable conditions, must surely be destructive to health.

Another reason for favorable consideration: The department does not allow us compensatory time for the services performed on the road in excess of that required for a standard day's work. By way of illustration: On all lines where the time from going to work at advance distribution until arrival at the other terminal exceeds the average for a standard day's work the excess or overtimes should be calculated as time and half time. For example, if the standard day for the line be 6 hours and the time consumed in advance distribution and between terminals be 12 hours, then credit should be given for 6 hours plus 6 hours plus 3 hours' overtime, or 15 hours, and proper credit should be given the men for this time on the organization sheet. This is in conformity to the customs of all corporations. At the same time it is fair on account of the unusual service exacted from the clerk. Also, the clerks should not be made to suffer by reason of the changed conditions due to the modern times. The race for mail contracts and prompter service has tightened the schedules on most roads, and, instead of the men being charged for the time taken from them, they should be given allowance for working under the more strenuous conditions.

In fixing the standard for a day's road duty proper credit was not given for the services rendered to the Government during the lay-off period. Consultation with a score or more representative clerks shows that credit should be given for the time used in the performance of the following duties:

	Hours.
Examinations:	
3½ annually—average of 8 days per examination	224
Correcting cards and schemes for examination	32
	256
Scheme corrections for distribution, average 1 hour per week, 52 weeks	52
Reviewing distribution, 1 day each lay-off period, 30 periods	240
Drawing and preparation of slips and labels:	
1 hour for drawing.	
3 hours for preparation.	
4 hours per tour, 30 tours	120
Delayed connections and protecting delayed mails, as shown by New York and Pittsburgh railway post office	29½
15 days leave of absence	120
	817½
All clerks	
Clerks in charge (additional):	
Trip reports, 6 per tour, at 45 minutes, 30 tours	135
Monthly reports, 12, at 1 hour and 30 minutes	18
Correspondence, clerical work required by office verifying pouch records, furnishing data, etc.	60
	1,030½

There is another important item to the New York and Pittsburgh railway post office. The standing requirements are that clerks on lay off must be available at three meal hours awaiting orders: Three hours per day, 6 days per lay off, equals 18 hours; 30 tours, equals 540 hours. Figuring as a year's service 313 days of 8 hours each, or 2,504 hours, it is readily seen that crediting us with the time spent in road duty and work on lay off, we are putting in a great many more hours than are legally required.

In support of the claim for annual leave of absence we desire to say: The order of the department bearing date of January 16, 1911, indicated a determination to exact six and one-half hours average road duty, which order was somewhat modified under date of February 5, 1911.

All the official utterances on the subject lay great stress on the reasonable claim that the department has a right to have and receive the same hours of labor from the railway postal clerks as govern the industrial world, namely, eight hours.

The difference between the length of a day of road duty and the average industrial day of eight hours is conceded to the clerks as being absolutely necessary for the purpose of study, examinations, scheme corrections, rest, and all other demands generally believed to be necessary in order that the clerks may keep themselves up on their work and distribution. This allowance, then, coupled with whatever actual time of road duty may be required, constitutes an average day of eight hours for six days a week, Sunday being excepted.

Such being the case, and the figures, arguments, and comparisons being the department's own, the claim is made that we do not differ in effect from those clerks who run daily, except Sunday, and are by law entitled to 13 days of leave, with pay, each year.

It is expressly understood that no claim is made that the law gives the trunk line clerks a right to such an allowance as is claimed, that of 15 days' leave yearly, because the law is silent beyond providing that clerks who run daily, except Sunday, should have this allowance.

The same laws, however, governing the action of the department are just as silent upon the subject requiring an average 8-hour day, except Sunday, for the trunk lines; from 5 hours and 45 minutes up to 6 hours

and 15 minutes to be credited to road duty, the balance for all the other demands upon the clerk's time.

Inasmuch as there does not seem to be any likelihood of a restoration of old conditions, including runs, hours, etc., and that an average 8-hour day must be given by the clerks, why should not an allowance of 15 days be granted as claimed?

It is further insisted that while there is no precedent for such action, just as there is no law therefor, why not establish the precedent which can be held to take the place of law, just as the precedent of demanding an average eight-hour day was established?

If it should be held that the trunk-line clerks, by nature of the demands upon trunk lines, could not reasonably be conceded this time allowance, the same to be actually enjoyed without interference, then let it be understood that the clerks on such lines would accept in lieu thereof an average daily time allowance equal to said 15 days, or 23 minutes per day, the same to be applied and credited to the present daily average made by each clerk.

That the request above outlined is reasonable and based upon that principle of justice which gives to each and all that measure of equality before the law is our belief, and we trust it will be granted us in one or the other forms asked.

Returning to the consideration of our resolution, I would say: The hazardous nature of our work entitles us to concessions. The clerk is constantly exposed in the most dangerous part of the train, entirely ignorant of any impending danger until it is too late to make any effort to save himself. The number of men killed and injured while in the performance of their duties is large. While it is true there are measures being taken to remedy this complaint, yet the danger remains and should have its relative weight in these calculations.

We hold that a strict compliance with the above resolution would not be possible on account of the inflexibility of it, yet we do not think that the department should rule that the lines or runs which are below the minimum should be brought up to the minimum unless the lines or runs which are above the maximum are brought down to the maximum. It is a poor rule that will not work both ways.

In attempting to conform to the high-standard day required by the department many cases of hardships come to our notice. We shall only mention two, and in both cases we think action should be taken to correct the existing conditions.

On New York and Salamanca railway post office, trains 1 and 2, one crew was withdrawn, compelling the men to make three round trips, a distance of 2,550 miles, as shown in the schedule. The daily average prior to withdrawing this crew was 5 hours and 40 minutes. The change raised the daily average not to 6 hours and 15 minutes, as required by recent rulings, but to 6 hours and 53 minutes. It is apparent the changes were based on a tour of inspection made during an interruption of the wagon service in New York City, when almost all the paper mail was missed. No account seems to have been taken of this unusual condition. The true situation is that the run is a very hard one, with a sufficient quantity of mail to work the men from terminal to terminal. The distance, as well as the time required, for a tour of duty is excessive, and conditions should be speedily adjusted.

I desire to refer briefly to one other case. On the New York and Pittsburgh railway post-office trains 28 and 29 the clerks are required to make three round trips between New York and Pittsburgh. The round trip is made in 24 hours from time of leaving Pittsburgh. It is impossible for them to get more than four hours' sleep in New York City before they must return to Pittsburgh. After their arrival in Pittsburgh and they have had a few hours' sleep, they are compelled to report at the Pennsylvania Station and perform service for two hours on New York and Pittsburgh railway post-office train 18. After this service they are permitted to return to the dormitory for the balance of their rest. It is an unwarranted condition. After men have worked 888 miles with but 4 hours' sleep on two of the fastest trains in the world, where traveling alone is exhausting without doing any work, we do not think the urgent needs of the service require this sacrifice on the part of the men. The only reason this is imposed on them is to bring their daily average up to requirements and not because train 18 needs them.

Briefly summarizing, we would ask your favorable consideration of this resolution, for the following reasons:

1. The exhausting mental and physical labor necessary for the proper performance of our work.
2. The complex and thorough character of our study.
3. Not sufficient credit allowed by the department for duties performed on the lay-off period.
4. The hazardous position in which we are required to work.
5. The severe hardships imposed on many men in attempting to conform to the high-standard day.
6. No compensatory time allowed men who are on duty for a longer period than is required for a standard day.
7. No compensatory time allowed men who work on the high-speed trains over those who work on the slow trains.
8. No compensatory time allowed for annual leave of absence.
9. The combined time required of the men in road duty and work on the lay-off period exceeds the amount required for a legal day's work.
10. We believe concessions in conformity to this resolution would in a very great measure allay the feeling of unrest now in the service and would soon restore the esprit de corps which is such a valuable asset to the Post Office Department.

Respectfully submitted,

C. W. LAHR.
(For the Railway Mail Association).

Approved:

P. J. SCHARDT,
President Railway Mail Association.

B.

HOURS OF ROAD DUTY.

WASHINGTON, D. C., September 26, 1911.

Hon. JOSEPH STEWART,

Second Assistant Postmaster General, Washington, D. C.

SIR: When we review the struggle that is progressing in this land for the betterment of the civil, social, and economic conditions, we are forced to the conclusion that the Government can not afford to be anything but a model employer. Applying this principle to the cause before us, let us indulge in some comparisons.

I know of no fairer comparison to make with a railway postal clerk than that with the train crew with which he runs. Both are subject to the conditions of an occupation away from home; both are subjected to mental strain and physical discomfort. I will make my comparison on the Pittsburgh & St. Louis line, because I am more familiar with it and can prove my statements.

Train crews in train 18 (between Columbus, Ohio, and Pittsburgh, Pa.) return in train 45; they must report for duty at 8.35 a. m.; they are relieved from duty on the return trip at 7.45 a. m.; having 23 hours and 10 minutes tour and 24 hours and 50 minutes lay off every two days. They are actually on duty in train 18 six hours and in train 45 five hours and five minutes, and these figures each represent a day's work. Train crews (between Columbus, Ohio, and Indianapolis, Ind.) in train 11 return in train 18; they report for duty at 3.30 p. m. and are relieved on the return trip at 9.10 a. m., having 17 hours and 50 minutes tour and 30 hours and 10 minutes lay off every two days. They are actually on duty in train 11 five hours and five minutes and in train 18 six hours and five minutes.

Train crews in train 20 return in train 25; they report for duty at 2.30 p. m. and are relieved on the return trip at 7.30 a. m., having 17 hours tour and 31 hours lay off every two days. They are actually on duty in train 20 five hours and in train 25 five hours and forty-five minutes.

Train crews in train 13 return in train 14; they report for duty at 9.15 p. m. and are relieved on the return trip at 12.45 p. m., having 15 hours and 30 minutes tour and 32 hours and 30 minutes lay off every two days. They are actually on duty in train 14 five hours and twenty-five minutes and in train 13 five hours and 20 minutes.

Bear in mind that these figures include 30 minutes before schedule departure and 20 minutes after schedule arrival. These men state that their duties have never been increased nor salary lessened by a shortening of the schedule. Between Indianapolis, Ind., and St. Louis, Mo., a peculiar system of running obtains whereby a train crew has the same set of trains only once every 13 days, so that like figures are not easily obtainable; but, being under the same management, they are equally well situated, with this difference, their run is longer (about 50 miles), but for these extra hours they receive about \$200 per annum additional compensation.

In conversation with a number of these passenger conductors I learned that it takes about 15 years for an efficient, capable man to rise from the bottom to the top in the train service, which is about the same time it takes a substitute to become a clerk in charge in an established railway post office.

They have short working hours and more than half time off at home. Beyond this the comparison becomes one-sided.

Their study is the book of rules, not as much as our Postal Laws and Regulations.

Their mental work is light and the physical is not exhausting. Some of these men collect tickets four times in a trip and may receive train orders as many times.

They and their families are provided with free transportation.

Their old age is provided for without thought or expense on their part.

Their annual income is from \$2,000 to \$2,400.

The trunk lines are not the only arteries of the Railway Mail Service, but are practically all the standard railroad service of the country. Stimulated by ambition and competition, they are the possessors of the solid roadbeds and the high-speed trains. An attempt to place all the service upon a fixed "hours-of-duty" basis alone places an unequal burden upon these lines instead of arriving at an equality. These men labor under extreme mental, physical, and nervous tension; they are unlike any other laborers; others give little thought as to how much shall be done, but look forward to quitting time; these men look at the stint set them, and their actions are more like those of a salvage corps at a fire—a pace that can not be kept up for long.

Ten years' observation on a great distributing line has shown us that of 100 new men 40 are worthless for this business. Many of the remainder drop out almost immediately, or at least before they become an asset. What will be the result, we ask you, if the exactions of the service are to be made greater and the attractions correspondingly less?

Personally I have served for more than 20 years in a great railway post office, and whatever is done can not affect me for long; but I am making this appeal for the future of the service that I have seen more than treble, which has been my life work's pride and in which you and I have a common interest.

There is on file in the office of the honorable general superintendent a letter written by me, under date of January 6, 1911, addressed to the honorable Postmaster General that I wish shall be made a part of this statement.

Very respectfully,

C. G. MENDENHALL,
(For the Railway Mail Association).

Approved:

P. J. SCHARDT,
President Railway Mail Association.

C.

HOURS OF ROAD DUTY.

WASHINGTON, D. C., September 26, 1911.

Hon. JOSEPH STEWART,

Second Assistant Postmaster General, Washington, D. C.

SIR: In presenting to the Post Office Department some general considerations touching the question of a standard workday in the Railway Mail Service, I shall leave to my colleagues the presentation of those phases of the question proceeding more particularly from the viewpoint of the strict self-interest of the employees of the service. It shall be my task, with your kind indulgence, to attempt in an humble way to point out that a stern enforcement of that we are bound to regard as an arbitrarily determined workday may and inevitably must result in a deteriorated efficiency. Believing that it is no less our duty than our privilege to set forth frankly our views upon the subject matter in mind, no further apology shall be offered than that the views herein set forth are not original with myself but are culled from current expositions by high authorities on the science of the management of bodies of men.

It is peculiarly my province, while not essentially any more fair-minded than my colleagues, to consider the question before us from the "other" side, from the administrative standpoint, in so far as it is given me to be judicially minded enough so to consider it. It may be proper to state that the general principles are set forth, not dogmatically but as a means of illustrating and testing, by the considerations of private practice, the departmental position upon the question of the present standard of a workday in the Railway Mail Service.

It is a favorite retort of managers, and one that is usually expected to squelch the protestant employee, to say, "We, too, put in long hours. You ought not, then, to 'kick.'" And yet so eminent an authority as Mr. Fred W. Taylor, the father of scientific management, says:

"The fact * * * that managers are * * * overwhelmed by their work is the best proof that there is something radically wrong

with the plan of their organization, and in self-defense they should take immediate steps toward a more thorough study of the art."

Another eminent authority, imbued with a sense of the importance of his subject even to the point of enthusiasm, declares:

"It is because I have an abiding faith in the destiny both of my country and its inhabitants that I urge the application to its affairs of efficiency principles. That its people have in the past abundantly made use of a high order of near common sense justifies the belief that in the future it will surpass other nations in the use of supernal common sense. Let us therefore grasp the difference between the two, and, having grasped it, let us wake up to some of the principal present stumblingblocks in our national corporate and individual paths."

As indicating the ground of approach on the part of hard-headed business men broad enough to view the relationship of employer and employee (or public servant and manager) in its more comprehensive aspects, I may be permitted to quote again from Mr. Taylor:

"It is safe to say that no system of scheme of management should be considered which does not, in the long run, give satisfaction to both employer and employee, which does not make it apparent that their best interests are mutual, and which does not bring about such thorough and hearty cooperation that they can pull together instead of apart."

Another singularly successful manager of men states the matter even more concisely:

"To handle men, they must be treated as friends and coworkers, not as automata."

The art of management has been defined as "knowing exactly what you want men to do, and then seeing that they do it in the best and cheapest way."

That this art is not predicated upon any hard and fast rules is made manifest by the declaration:

"Scientific management is not any particular system (rigid or otherwise), but a body of principles; a particular way of looking at the whole problem of industrial operation."

As in a measure elucidating, if not justifying, the conditions that obtained among the rank and file of the Railway Mail Service last winter, and without any intention to convey the impression that the characterizations are applicable to the conditions that have obtained or may still obtain in the department, I may be permitted to quote somewhat extensively from Mr. Harrington Emerson, a noted efficiency engineer, as follows:

"[The most] evil characteristics [of poor management] are * * * arbitrariness, irresponsible exercise of power, harshness, cruelty, with anarchy all along the line."

"The vagueness, the uncertainty, the aimlessness that characterize employees is but an infiltration of the vagueness, uncertainty, and aimlessness that characterize employers."

"A high American railroad official of great and long experience told me that no grievance committee of wage earners had ever come to him with what seemed unreasonable and unfair demands that he had not been able to find as the original incentive to their action the arbitrary injustice and tyranny of some insignificant local official, foreman, or boss."

"I have intimately watched the inception, progress, and end of three railroad strikes. Twice they were precipitated by the arbitrary action of irresponsible yet conscientious and able railroad officials."

"A great railroad superintendent * * * told me that no unreasonable demand had ever been made on him by a labor organization that he could not trace * * * back to some act of petty injustice by a foreman of poor judgment."

All these general considerations, of course, have a purely general bearing. Without pretending that private and public employment are precisely parallel, I am making a special application of them to the workday standard established by the department for the Railway Mail Service, because just in the particular matter of establishing an arbitrary and inflexible minimum workday it would seem to the workers immediately concerned that the department had apparently failed to justify itself to the common sense and, I may say, the common humanity of its servants. We, most of us, are not insensible or not by any means indifferent to the many inefficiencies and wastefulness suppressed and abolished. The relief from the onerous blue-tag matter; the reduction in the use of equipment; the vastly closer correlation of the different branches of the entire postal service are immense improvements of the great importance to which we are not at all oblivious. Moreover, we gladly recognize the organizing genius which brought them about. But in all industrial operations, those of the Post Office Department included, there is a human factor, which, if ignored or neglected, is bound ultimately to render nugatory the best planned organization ever conceived in the brain of man.

On the New York and Chicago railway post office, as well as on others, there obtains a system of lap runs. In the case cited it was, to all appearances, imposed simply and solely arbitrarily to raise the work time to a standard that may have been in the departmental mind here at Washington, but which was never promulgated for years afterwards.

Last winter, after finally promulgating such a standard, the employees in the most continuously strenuous occupation in the Government employ were required in the heaviest period of the year to yield up that part of their rest period that the wisdom of nearly 50 years had regarded as their absolute due. This not so much without pay, but positively as a comparatively heavy expense to the employee for every extra trip he made. If the department had in any way profited thereby, the procedure might possibly have been justified on the principle of absolute authority from which there seemed to be no adequate appeal. But beyond the necessities of the service this proceeding was kept up and justified, if that be the correct term therefor, by the plea that the organization sheets were thus symmetrically rounded out to an even, uniform figure. Apparently no thought was given the efficiency principle where merely the human factor was involved.

Efficiency is said to be a ratio expressing the relation between the results achieved and the energy necessarily expended in obtaining those results. Measured by this principle, altogether disregarding the humanitarian idea or the sense of justice, the episode was, we believe, generally and in a large measure indefensible.

While it is true that one of the basic ideas of correct management is the predetermination of standards of efficiency, still, as has been said, "efficiency, like hygiene, is a state, an ideal, not a method; but in America we have sought our salvation in methods," and by the same eminent authority: "Accounting, however accurate and minute, can not of itself bring about efficiency."

In Mr. Harrington Emerson's elaborate expositions of the 12 principles of efficiency he assigns the first five to those of conduct and the latter seven to those of operation. His five principles of conduct bearing upon efficiency are: (1) Definite ideals, (2) common sense, (3) competent counsel, (4) discipline, (5) the fair deal.

We respectfully submit that in the application of the work standard in our service the department has fallen short of these ideals set forth by a mere business manager for mere business reasons, and that those in the public employ are entitled on the most obvious principles of justice to at least equally generous treatment.

In this connection it may not be inopportune to quote a large employer, writing from the employer's viewpoint, as to what constitutes honest work, with the statement that every railway postal clerk can conscientiously subscribe thereto:

"Honest work at lowest cost; at high speed, if required, but none the less honest work and the lowest cost for the speed (is the consideration). Honest work means honest workers, not one only in a few, but all; honest in the sense of taking an interest in the work and personally desiring that it shall be done well. Such an attitude is not one of muscle, but of mind or intelligence, and hence honest work in the true sense demands that everyone engaged upon it shall participate in it on the intellectual side and not merely on the physical."

I had intended writing my notes on driving and speeding up, but find that I have already seriously imposed upon your consideration, and so will forbear.

The remainder of this paper may be regarded as a string of quotations upon what authorities, men of practical experience in handling men, have said upon the humanitarian phase of the subject matter in hand—in other words, of the human factor.

"Reasonable hours, too, are a necessity if good health and a maximum output are to be maintained. A comparison of overtime with regular-time production would show in almost every case a heavy decrease in the production after hours."

"To establish rational work standards for men requires indeed motion and time, studies of all operations; but it requires in addition all the skill of the planning manager, all the skill of the physician, of the humanitarian, of the physiologist, of the psychologist; it requires infinite knowledge, directed, guided, and restrained by hope, faith, and compassion."

"Rather than drive harder, it is more equitable to pay for extra normal time required."

"Longer hours than 10 (in one continuous stretch) are wholly deleterious to both worker and shop. I never knew any advantage to result from promiscuous overtime. It should always be a serious emergency resource, and the bonus should be very high to men, and loss of shop efficiency be chargeable to all officials."

"If we can not control the hygienic conditions of the homes of the working classes, we can at any rate insist that in the factory and workshop the conditions under which work is carried on shall be as healthy as possible; that means shall be in use to carry away dust; that the temperature and humidity shall not be too high; and that the air shall contain even less carbon dioxide than is allowed by law. If the employers wish to have tidy and clean workmen, they must keep their factories clean. Change of clothing will probably cause the worker to make a better meal on reaching home than the unwashed workman."

"These general-welfare considerations have their effect on the contentment of the worker, and not one of them is recommended from any patronizing or altruistic motive * * *. In the interests of plant efficiency men should be treated at least as well as we treat machines. It is for mutual, not one-sided, benefit that the workers' counsel is considered."

"A boy apprenticed to a trade ought to feel confident that he has not been allowed to enter a race in which even before he started he was hopelessly outclassed; he ought to see before him a reasonable certainty of tenure of position, of definite and increasing wages * * * until he has reached a maximum for his trade and locality; he ought to be certain that all those things essential to his health and safety which he can not do himself were being done for him. As to the man, the worker without whom industry would collapse, all conditions ought to be standardized. Drinking water ought to be germ free, life-destroying dust should be sucked away, safeguards should surround moving machinery, work illumination should be adequate, not ruinous to the eyesight. Working hours should be reasonable and without overtime, except in great emergencies; means should be provided for ascertaining directly his needs, his wishes, or listening to his recommendations."

"It is the men closest to their bread and butter who generally have correct instincts as to evils, even if they often flounder as to remedies. It is the flesh that quivers with physical pain, not the brain nor the skeleton. It is on these workers that the duty devolves of bringing up respectable families on a small and precarious income. There is not room for all at the top, even if all were competent to climb; and one of the great problems is to make to-day bearable without taking away the hope of a better to-morrow."

Respectfully submitted.

AUGUST BINDEMAN
(For the Railway Mail Association).

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

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

The Clerk read as follows down to and including section 6c:

Amend section 6 by adding thereto the following:

"Sec. 6a. That on and after the 1st day of July, 1914, the following positions in the Post Office Department shall be included in the competitive classified service, to wit: First Assistant Postmaster General, Second Assistant Postmaster General, Third Assistant Postmaster General, Fourth Assistant Postmaster General, and postmaster in all post offices of the first, second, and third classes; and after the said 1st day of July, 1914, vacancies in any of said positions shall be filled by the Postmaster General by promotion or transfer of persons already in the service of the Post Office Department. To assist the Postmaster General in making such appointments, the Civil Service Commission shall make and promulgate all necessary rules and regulations therefor. Such rules and regulations shall provide for the transfer of employees in the Railway Mail Service to and from positions in post offices and the transfer of postmaster, assistant postmaster, and clerks from one post office to another and to and from the Post Office Department in Washington: *Provided*, That no postmaster, assistant postmaster, or other employee of any post office shall, without his consent, be transferred from the post office located in the city or town of his residence.

"Sec. 6b. That from and after the 4th day of March, 1913, appointments to the position of Postmaster General shall be for a term of 10 years, and during such term the Postmaster General shall not be subject to removal except for cause. In addition to the duties now provided by law, it shall be the duty of the Postmaster General to conduct the affairs of the Post Office Department upon an entirely non-

partisan basis, and in making appointments as provided in this act it shall be his duty, as far as possible, to carry out the rules and regulations promulgated by the Civil Service Commission.

"Sec. 6c. That it shall be unlawful for any employee of the Post Office Department to be chairman or a member of any political committee, or to have control or management of any political campaign, or for any postmaster of the first or second class, while holding such position, to engage in the active management or control of any business, trade, or profession that in any way interferes with the full and proper performance of his official duties. Any employee violating the provisions of this section shall be removed from office."

Mr. MOON of Tennessee. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. NORRIS. Mr. Chairman, I would like to be heard on that.

The CHAIRMAN. Very well; the Chair will hear the gentleman.

Mr. NORRIS. I have offered the amendment in the best of faith, and I do not think it is subject to the point of order.

The CHAIRMAN. The Chair thinks it is.

Mr. NORRIS. I understand the Chair has said that. Of course I do not know just what the idea of the Chair is.

The CHAIRMAN. The idea of the Chair is, he will say to the gentleman, that it is new legislation and changes existing law in an appropriation bill.

Mr. NORRIS. Exactly; but the amendment we are considering in the bill is new legislation. The Chair has already held that on another point of order made to-day, which seems to be on all fours with this—

The CHAIRMAN. The gentleman from Nebraska offered this as a separate paragraph to come in after section 6, and therefore he did not offer it as an amendment.

Mr. NORRIS. I take it it is an amendment to section 6.

The CHAIRMAN. The Chair will hear the gentleman if he desires.

Mr. NORRIS. I did not know what I could do except to offer it immediately after the conclusion of the reading of section 6. I think it would be in order in some other place in the bill, if that is the theory of the Chair.

Mr. MOON of Tennessee. Section 6 is passed. The gentleman can offer his amendment as a separate amendment.

Mr. NORRIS. I will add it after section 6. I do not want to take up the time of the House in reading it again. I could offer it as an amendment, perhaps, to several other sections that are in here to which it is germane.

Mr. MOON of Tennessee. It may be. Suppose the gentleman have it passed upon and see.

Mr. NORRIS. Mr. Chairman, I offer the amendment as an amendment to section 6.

The CHAIRMAN. Does the gentleman withdraw the amendment as offered before?

Mr. NORRIS. On the ruling of the Chair I will withdraw the amendment and offer it as an amendment to section 6.

Mr. MOON of Tennessee. I make the point of order, Mr. Chairman, that section 6 is already passed.

The CHAIRMAN. The gentleman from Nebraska [Mr. NORRIS] offers to withdraw his amendment. Is there objection to his request?

Mr. NORRIS. I do not understand that section 6 has been passed.

Mr. MOON of Tennessee. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard. Unless the gentleman from Nebraska desires to be heard further, the Chair will sustain the point of order.

Mr. DYER. Mr. Chairman, have we passed section 6, or can we offer an amendment to that section?

The CHAIRMAN. An amendment can be offered to section 6.

Mr. DYER. I offer an amendment, Mr. Chairman, to section 6.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri [Mr. DYER].

The Clerk read as follows:

Mr. DYER offers the following amendment:

That the following be stricken out, to wit: Beginning with the word "That," line 3, page 30, section 6, and extending to and including the word "thereof," line 22, same page and section, and insert in lieu thereof the following:

"That there shall be appointed by the President of the United States a commission, to consist of three members, who shall receive as compensation \$3,000 per annum for a term of four years, and may be reappointed. The said commission shall be known as the commission on salaries and allowances of postal employees."

"The duties of the said commission shall be to pass on all salaries of postal employees who are in the classified service. When any employee is entitled to an increase of salary by reason of time and length of service, it shall be the duty of the Post Office Department to certify the said employee to the said commission for promotion, and if for cause the department deems it advisable that an employee be not promoted there shall be filed with the said commission a full report of the case and all charges against the said employee, who shall receive a copy of the same and be allowed 10 days to file a written answer or

may appear before the commission in person or by attorney, and after such hearing the commission shall decide the case, and such decision shall be final.

"No postal employee of the classified civil service having reached a certain grade and who receives a certain salary shall be reduced to a lower grade except for cause and after a hearing by the commission on salaries and allowances of postal employees."

"When the Post Office Department believes there is a good and sufficient cause for the reduction of salary of a postal employee who is in the classified civil service, it will file with the commission on salaries and allowances its recommendation, with the reasons thereof, and all charges."

"And a copy of the same shall be sent to the employee recommended for reduction, who shall be allowed 10 days to file a written answer to the same, or he may appear before the said commission in person or by attorney to present his case, and after such hearing the commission shall decide, and such decision shall be final."

Mr. MANN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] makes a point of order against the amendment.

Mr. DYER. Mr. Chairman, I hardly think it is subject to a point of order. It is substantially the same section as it is now, only with a proviso that there shall be a commission which shall have to do with the promotion and reduction of salaries of clerks in the postal service. It takes them out of the power and out of the influence of the men who are at the head of it, so that no preference will be given that is unjust and unfair, as oftentimes happens. I think, Mr. Chairman, that it is in order and germane to this section.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard?

Mr. MANN. I do not wish to detain the Chair, but it seems to me that an amendment to create a commission is not germane to this proposition to regulate the promotion or discharge of employees.

This is to provide additional employees in the form of a commission, and if you can insert an amendment to create a commission every time you deal with the subject matter of course it is opening the door very wide. The Chair will notice that this is an original proposition in the bill. Of course it is now held to be germane in the bill, although it is legislation.

The CHAIRMAN. The Chair would state that although the amendment might be germane it provides for additional legislation, and under the ruling of former Chairmen and Speakers of the House it has been held that in an appropriation bill a paragraph embodying legislation may be perfected by a germane amendment. But this does not permit an amendment to add additional legislation, and the Chair thinks this does add additional legislation, and therefore the Chair sustains the point of order. The Clerk will read.

Mr. MANN. Mr. Chairman, I move to strike out section 6.

The CHAIRMAN. The gentleman from Illinois moves to strike out section 6.

Mr. NORRIS. Mr. Chairman, I make the point of order that section 6 is passed, and it was on that ground that the Chair sustained the point of order to the amendment that I offered.

The CHAIRMAN. The Chair did not base his ruling upon that. The gentleman from Illinois [Mr. MANN] moves to strike out section 6.

Mr. MANN. Mr. Chairman, I have no doubt that there may be at all times just complaints against the administration of the law as to the employees of the Government, but I do not believe that it is advisable to invite the employees of the Government to band together to make assaults upon Congress or upon Members of Congress. I do not believe that it is desirable to permit the employees of the Government to band together for the purpose of threatening a Member of Congress in his district, as would be permitted under the provisions of section 6. We have now the influence of the employees of the Government affecting Congress to a very great extent.

This Government is not created and run for the sole benefit of the employees of the Government. The Government is for the people. The employees work for the Government in the interest of the people. But there are times when one is forced to believe that many of the employees of the Government believe that the Government is maintained for the benefit of its employees. [Applause.]

I do not think that the employees have any difficulty in presenting their grievances to Congress, whether the grievances affect the mass of employees or whether they affect only individual employees. I do not regard any order of the President which forbids me to discuss with an employee matters relating to his employment under the Government, and I never shall. [Applause.] But I do not think there is any need of Congress inviting the employees to band together for the remedying of what they call their "grievances," or to obtain civil pensions, or retirement, or increase of pay, or shortening of hours, or lightening of labor, or a thousand and one other things that are

not necessary to be presented in the form of threats to Congress.

There is no occasion for such legislation. There is no demand on the part of the employees for this legislation. The postal employees of the Government are not asking for it. Probably I have as many post-office employees in my district as almost any gentleman on the floor of the House. To a certain extent I believe I enjoy their confidence—their belief, at least, that I will endeavor to deal with them fairly—but they know and I know that they would not benefit any by any threats they might make against me, and maybe they will not do it. I do not know. But they do not want to be invited to do it.

Mr. MOON of Tennessee. Does the gentleman know that the reason they do not ask him for relief when they are distressed and tyrannized over is because if they made that fact known to the department they would lose their positions for doing it?

Mr. MANN. I do not know anything of the kind.

Mr. MOON of Tennessee. Then the gentleman does not know the fact, for it is true.

Mr. MANN. I know more post-office employees than the gentleman from Tennessee will ever know.

Mr. MOON of Tennessee. I do not believe that, either.

Mr. MANN. And I keep in touch with them on matters by which they are affected as closely as does the gentleman from Tennessee.

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

Mr. MANN. Certainly.

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

Mr. LLOYD. Mr. Chairman, this provision in this bill is necessary at the present time. It is true that the Government employees, as a rule, discharge their duties faithfully. It is true that those Government employees are sworn officers, and it is their duty to uphold the Government. I am well satisfied that there are no employees of this Government, in any branch of it, who are more faithful to their oaths than are the postal employees. [Applause.] The gentleman from Illinois [Mr. MANN] says that if the President of the United States or the Postmaster General were to make an Executive order that would prevent the employees from talking to him or conferring with him about legislative matters he would ignore the Executive order. But can the postal employee ignore the Executive order?

Mr. MOON of Tennessee. At the risk of losing his job.

Mr. LLOYD. The gentleman from Illinois may do it, and it does not affect him; but when the postal employee violates that Executive order he violates the law of the United States and places himself in a position of antagonism to those who are in authority over him.

This is the order about which the people complain and about which the postal employees complain; and if the gentleman from Illinois [Mr. MANN] has never heard of any complaints from the postal employees it is proof positive that he is not in touch with them. [Applause.]

The following is the Executive order to which I refer:

It is hereby ordered that no bureau officer, division chief, or subordinate in any department of the Government, and no officer of the Army, Navy, or Marine Corps stationed in Washington, shall apply to either House of Congress, or to any committee of either House of Congress, or to any Member of Congress, for legislation or for appropriations or for congressional action of any kind except with the consent and knowledge of the head of the department.

And now observe—

Nor shall any such person respond to any request for information from either House of Congress or any committee of either House of Congress, or any Member of Congress, excepting through or as authorized by the head of the department.

This Executive order is signed by William H. Taft. What is the effect of that order? That no postal employee can speak to a Member of Congress about anything affecting his duty unless he has first approached his chief and asked permission to speak to the Member of Congress, and in addition to that he must state to the head of the department what it is he wishes to confer about when he asks to confer with the Member of Congress.

Mr. BUCHANAN. Is not that the same order which Mr. Roosevelt issued during his term as President?

Mr. LLOYD. It is not exactly the same order.

Mr. BUCHANAN. A similar order.

Mr. LLOYD. I will insert the other order in my remarks in order that both may be seen:

PRESIDENT ROOSEVELT'S ORDER.

All officers and employees of the United States of every description, serving in or under any of the executive departments or independent Government establishments, and whether so serving in or out of Washington, are hereby forbidden, either directly or indirectly, individually or through associations, to solicit an increase of pay or to influence or attempt to influence in their own interest any other legislation whatever, either before Congress or its committees, or in any way save through the heads of the departments or independent Government establishments in or under which they serve, on penalty of dismissal from the Government service.

THEODORE ROOSEVELT.

Both President Taft and President Roosevelt are likewise offending, though the form of the Executive orders are slightly different.

It is claimed that President Taft has recently made an order which corrects the evil complained of and for which the pending provision in the Post Office appropriation bill is intended to afford a remedy. The Executive order which he promulgated a short time since is in the following words:

It is hereby ordered that petitions or other communications regarding public business addressed to the Congress or either House or any committee or member thereof by officers or employees in the civil service of the United States shall be transmitted through the heads of their respective departments or offices, who shall forward them without delay with such comment as they may deem requisite in the public interest. Officers and employees are strictly prohibited, either directly or indirectly, from attempting to secure legislation or to influence pending legislation, except in the manner above prescribed.

WILLIAM H. TAFT.

It will be observed from a careful reading of the new order that it in nowise remedies the evil of which special complaint is made, inasmuch as the employee is not permitted to communicate with any Member of Congress, any committee of Congress, or the Congress itself, without making the communication through the head of the department; and this order does not revoke the former orders to which reference has been made.

If the pending bill is enacted into law, then the department employee will not be subject to Executive orders, so far as this particular provision is concerned.

It was declared long ago by those who preceded us that all men should be free and equal, and the pledge was made that this freedom should be insured to the people of the Colonies and their posterity. One of the rights especially guaranteed under the Constitution of the United States is the freedom of speech. In this Republic the people control—the idea was that the people should rule and the supreme authority in government should be the people. Instead of the Government asserting itself through superior officers to inferior officers, officials should recognize that they should be obedient to the law of the people, and the people, as such, through their representatives, should have the right to inquire as to any of the conditions of government and the method of conducting any line of departmental business and the doings of those who happen to be employed in official place. Every man occupying office in the United States should feel that his employer is the people and that his obligation is to them, and they have the right to know everything pertaining to the Government's business. These Executive orders are in direct conflict with this idea of the rule of the people.

If no Government employee is permitted to speak, excepting through his department chiefs, and the department chief through the Cabinet officer, then this is an aristocratic Government, dominated completely by the official family of the President. If the principle enunciated in these Executive orders is to be carried to the extreme, then there is no possible way of obtaining information excepting through the Cabinet officers, and if these officials desire to withhold information and suppress the truth or to conceal their official acts it is within their power to do so. This Government will be more popular when its official proceedings are an open book and the conduct of its officials continuously subject to scrutiny and investigation by the people at any time and in any manner the people elect.

I do not mean to advocate that the person in the employ of the Government should not be in any sense under the direction of an overseer who, for the time being, is to give directions to the employee as to the official work he is to perform; but I do say that such overseer has no right, under the principles which should prevail in a free Government, to direct that the employee under him shall make no expression with reference to the official's acts except through the overseer. This course leads to distrust, dissatisfaction, to charges of wrongdoing, and breeds discontent among the people. The object of this proposed law is to overcome as far as possible amongst postal employees the secrecy which is now imposed upon them in regard to the acts of their officials and to give such employees the opportunity to confer with their representatives, or the people through their representatives, to the end that such information as is desired may be obtained through them.

The Post Office Department is the people's branch of the Government. Every person connected with it should feel that in addition to his duty as a patriotic citizen he is under obligation by reason of the oath he has taken to uphold the Government, maintain its integrity, and do all in his power to make successful every phase of postal duty. If the Post Office Department is a failure the Government is to that extent a failure. If any branch of the postal service becomes inefficient the whole service is affected by it.

I believe there is no more faithful body of Government employees than the postal officials. They need encouragement and

not discouragement. They should be safeguarded in every possible way and everything should be done by law or administration to perfect the postal system and make it more efficient. At present it is the best found in any country, and I rejoice in this fact and hope that what has been done in recent times to breed discontent amongst postal employees may soon be undone, and that there may come a unity in action and a harmony in association which will have the effect of making as nearly perfect as may be this important branch of the Government.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Illinois [Mr. MANN].

Mr. MADDEN. Mr. Chairman, I think it is conceded that every citizen of the United States, whether he be a Government employee or not, should have the right of petition; and I do not believe that the post-office employees have ever felt that they were restricted from the right of petition. At least they never have felt that way when they wanted to petition me, for I have been getting anywhere from 10 to 50 letters a day from post-office employees and other Government employees during all of my public service, and I have never failed to respond to any petition which they have made.

Mr. O'SHAUNESSY. How does the gentleman interpret the Executive orders of Theodore Roosevelt and of William Howard Taft?

Mr. MADDEN. I am not trying to interpret them. I am in favor of this legislation.

Mr. O'SHAUNESSY. But you are not in favor of these Executive orders?

Mr. MADDEN. I am not trying to interpret the order, but I say that every citizen should have the right to petition.

Mr. MARTIN of Colorado. May I interrupt the gentleman?

Mr. MADDEN. I only have a minute.

Mr. MARTIN of Colorado. It is but a short question.

Mr. MADDEN. My time is limited. I am in favor of giving the broadest latitude to every man, whether he is a Government employee or not, and hence I was in favor of this legislation as a member of the Committee on the Post Office and Post Roads, and unhesitatingly helped report it. I think the report of the committee was unanimous on that subject. The members of the committee felt that if there was any possibility or chance of the employees of the Government being discharged because of their having presented their case, if they had a grievance, to a Member of Congress, that that possible chance ought to be obliterated.

Mr. BUCHANAN. Does not my colleague know that post-office employees have been demoted and discharged on account of having violated this order?

Mr. MADDEN. No, I do not know it; and I do not presume that the gentleman knows it. I presume that employees have been demoted and their pay reduced, but what for I do not know.

Mr. BUCHANAN. I do know, and I can furnish the gentleman the information.

Mr. MADDEN. I wish to say to my colleague that he is not any more favorable to the consideration of questions that favorably affect the post-office employees than I am, and any insinuation that he may make that he is more favorable to the employees in the Post Office Department than anybody else is uncalled for. There is no need for him to criticize my action.

Mr. BUCHANAN. I have made no such insinuations or criticisms.

Mr. MADDEN. There is no necessity for any question about it at all.

Mr. BUCHANAN. The RECORD will show my position.

Mr. MADDEN. Mr. Chairman, I wish to say again that every proper opportunity should be given to a citizen of the United States, whether he be in the Government service or not, to present his case to the governing authorities in order that any grievance that he may have may be remedied.

Mr. MARTIN of Colorado. Mr. Chairman, I want the floor mainly for the purpose of asking the gentleman from Illinois a question that I endeavored to ask him a little while ago.

Mr. MADDEN. All right.

Mr. MARTIN of Colorado. The gentleman says that he has received from 10 to 50 letters a day from Government and postal employees, which he has never failed to answer. That does not quite cover the point. What I want to know is if invariably the writers did not ask him to preserve their identity and not make it known?

Mr. MADDEN. Never; not in a single instance.

Mr. MARTIN of Colorado. Then all I can say is that the gentleman's experience has been materially different from mine; that I have rarely been consulted or written to by postal employees but what they have asked me to preserve secrecy and

not give them away for fear they would incur dismissal for violating this gag rule.

Mr. MADDEN. Perhaps they did not have as much confidence in the gentleman as they have in me.

Mr. MARTIN of Colorado. I want to say that I do not believe in the denatured Americanism that results from these Executive gag orders. [Applause.] I think the sacred rights of American citizenship too high a price to pay for any job, even under Uncle Sam. [Applause.] And I sincerely hope that the House will emphatically and overwhelmingly sustain the action of the committee in this matter, reestablishing the full citizenship rights of Government employees, and so put the attitude of Congress on this question forever beyond dispute. [Applause.]

Mr. DYER. Mr. Chairman, I want to ask the gentleman from Illinois a question. I am heartily in favor of this section myself, and I understood the gentleman from Illinois [Mr. MADDEN] to say that this section had the unanimous support of the entire membership of the Committee on the Post Office and Post Roads. I would like to ask the gentleman if that is the fact?

Mr. MADDEN. Why, Mr. Chairman, everything in the bill was unanimously reported by the committee.

Mr. GREGG of Pennsylvania. Mr. Chairman, in order to properly understand the matter that is contained in this particular section, it seems to me that it would be proper at this time to read the two orders that have been issued by the former President of the United States and the present President of the United States.

Mr. DYER. Will the gentleman yield?

Mr. GREGG of Pennsylvania. Certainly.

Mr. DYER. I would like to ask the gentleman if he considers that there is any politics in this bill that we are now considering?

Mr. GREGG of Pennsylvania. Oh, I do not think there is any politics in it at all, but what I do believe is that it is absolutely necessary that the employees of the United States Government be relieved from the gag rule that has been imposed upon them year after year. [Applause.] Mr. Chairman, I only rise for the purpose of inserting in the RECORD at this time these two particular orders.

Mr. DYER. I would like to say to the gentleman that the gentleman from Missouri [Mr. LLOYD] has already said that he was going to insert them in the RECORD in his remarks, so that they are already in.

Mr. GREGG of Pennsylvania. Mr. Chairman, it strikes me that these tyrannous rules, for the benefit of the people of the United States, can not be inserted too often. This is the Roosevelt resolution:

PRESIDENT ROOSEVELT'S ORDER.

All officers and employees of the United States of every description, serving in or under any of the executive departments or independent Government establishments, and whether so serving in or out of Washington, are hereby forbidden, either directly or indirectly, individually or through associations, to solicit an increase of pay or to influence or attempt to influence in their own interest any other legislation whatever, either before Congress or its committees, or in any way save through the heads of the departments or independent Government establishments in or under which they serve, on penalty of dismissal from the Government service.

THEODORE ROOSEVELT.

The following is the Taft order:

PRESIDENT TAFT'S ORDER.

It is hereby ordered that no bureau, office, or division chief, or subordinate in any department of the Government, and no officer of the Army or Navy or Marine Corps stationed in Washington, shall apply to either House of Congress, or to any committee of either House of Congress, or to any Member of Congress, for legislation, or for appropriations, or for congressional action of any kind, except with the consent and knowledge of the head of the department; nor shall any such person respond to any request for information from either House of Congress, or any committee of either House of Congress, or any Member of Congress, except through, or as authorized by, the head of his department.

WILLIAM H. TAFT.

Mr. MANN. Mr. Chairman, what is the gentleman reading from—his own speech?

Mr. GREGG of Pennsylvania. I am reading from the RECORD of April 9, 1912.

Mr. MANN. From the gentleman's own speech?

Mr. GREGG of Pennsylvania. Of course it is, and I think it is generally agreed that it was a very good speech. [Laughter.]

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

Mr. GOLDFOGLE. Mr. Chairman, I am in favor of the provision in the bill as reported by the Committee on the Post Office and Post Roads. The Executive order to which reference has been made is, in my judgment, a clear invasion of the rights of citizens. Whether the citizen holds office under the Government or not, his right to petition for a redress of grievances should not, and, constitutionally speaking, can not be

interfered with. I do not desire to detain the committee further than to refer to the protest which I entered against the Executive order as far back as March 13, 1902. Speaking then to matters affecting the post office and postal employees, I said, and I desire to repeat my words now, for they are applicable and timely:

I was astonished at the recent Executive order forbidding carriers, as well as other Government employees, from petitioning or approaching Members of Congress with a view to having their salaries or compensation increased. For one, I believe that whether in Government employ or in the service of private concerns a citizen has an absolute constitutional right to petition or request a Member of Congress for an increase of his pay, provided he does it in a respectful manner.

The right to petition the Government for a redress of grievances is the prerogative of every American citizen under the Constitution of the land. And this prerogative exists whether the citizen holds office or not, or whether or no he draws pay from the Public Treasury. In my opinion, the letter carrier, or any other Government employee, has the same unlimited, untrammelled, unfettered right to respectfully petition Congress for the betterment of his condition as any other man in the land; and the Executive order, in my judgment, constitutes an unjustifiable abridgment of and an invasion upon the constitutional right of the citizen.

That, I think, is the judgment of every fair-minded man, it is in consonance with justice and fair play, and therefore I am heartily in favor of the provision as it is incorporated in the bill as reported. [Applause.]

Mr. WILSON of Illinois. Mr. Chairman, provisions are incorporated in the pending Post Office appropriation bill to better the working conditions of the postal employees. It is my purpose, Mr. Chairman, to discuss these provisions which are of genuine merit. Ever since coming to Congress I have taken an interest in the welfare of these employees. I have been especially interested in attempting to secure the enactment of some legislation that will establish a statutory limitation to the hours of post-office clerks. Because of my interest in this cause I have come in contact with many of the postal employees, and have come to understand some of the deplorable conditions which have surrounded them.

PROPOSED EIGHT-HOUR LAW.

Mr. Chairman, it is most gratifying to me, and I am sure this sentiment is generally shared by the Members of this House, to find that the Post Office Committee has incorporated in this appropriation bill a provision to establish a legal eight-hour day for post-office clerks and letter carriers. The Post Office Committee is to be congratulated for having made a favorable report upon this legislation. To enact this legislation is but to do simple justice to this faithful army of postal employees, an act of justice which has been too long delayed. I am in hearty sympathy with every feature of this proposed eight-hour legislation. Eight hours has come to be recognized as the measure of a day's labor by this Government in dealing with its employees. An employee will more efficiently discharge his duties when working under an eight-hour law than when compelled to exhaust his energies by working in excess of that period. The Post Office Department has no right to demand more than eight hours of its employees. It is an astonishing fact that post-office clerks have never enjoyed the protection of any legislation whatever to limit their hours of labor. I know from personal investigation, and from information derived from my attendance at some of the conventions of the United National Association of Post Office Clerks that the clerks have frequently been compelled to be actually on duty from 10 to 12 hours a day. Yes, Mr. Chairman, I know of instances where they have been compelled to labor for more than 12 hours a day. It is unfortunate that the public and the Congress has not had a better understanding of the nature of the duties performed by these clerks. They are away from the eyes of the public, and, therefore, their duties have not been understood.

It is no exaggeration to say that the great majority of the clerks work at night. This is because the heavy mails arrive at the post office after the close of the day in the business world.

Everybody must conceive that the strain of working at night under artificial light is far greater than the strain involved in working under natural conditions in the daytime.

Mr. Chairman, I hope that it will not be long after this legislation is enacted when a further provision will be made to make seven hours of night work the equivalent of eight hours of daywork. In the English postal service seven hours of night work has long been recognized as the equivalent of eight hours of daywork. The action of the English Government in making this distinction resulted from an investigation as to the relative effect upon the employees of night and day work. Under the provisions of this proposed legislation it would be possible, Mr. Chairman, for the department to establish by regulation that seven hours of night work could be the equal of eight hours of daywork. I am told that the department favors such a recognition of the difference involved between night and day work.

But, Mr. Chairman, the department has also recognized the justice of an eight-hour day, but has failed to maintain such schedules, and only legislation can be depended upon to insure that the will of this body will be carried out.

It is not generally understood that a great majority of these clerks must master difficult "schemes" of mail distribution that they may promptly and efficiently distribute the mail. These "schemes" embrace anywhere from 1,500 post offices to 5,000 or more post offices in a given State. Often it is necessary for a distributing clerk to master the schemes of more than one State. The clerk must know in which county the post office is located. He must know which particular railway postal line will take the letter to that post office. He must know the particular train on that particular run. He must know at different hours of the day and night which train, over which road, will make the quickest connection, for it must be remembered there are many different trains over many different roads. This perfection of knowledge requires a never-ending study, because conditions as to schedules of trains, establishment of new offices, and the discontinuance of other offices are constantly changing. For all of the hours of systematic studying at home, with sample distribution case, and thousands of cards which the clerk must write representing the letters that he must stow in his daily employment—for all this the clerk receives absolutely no consideration whatever.

The financial responsibilities of the clerks employed in the money-order department, in the registry department, and in the sale of stamps require a high order of intelligence. It is not generally understood that these employees holding positions of financial responsibility are compelled to make good all losses which are bound to occur from time to time because of the multiplicity of transactions.

This proposed legislation further provides that the 8 hours of work for letter carriers and post-office clerks shall be worked within a period of 10 hours. Mr. Chairman, this is a wise provision, and a provision that is a tribute to the reasonableness of these employees in their demand. Naturally when an eight-hour day is spoken of it creates the impression that the eight hours represents a continuous period of service with the exception of a brief interval for luncheon. But in the postal service the words "eight hours" have meant something entirely different.

Even where 8-hour schedules for clerks and carriers were supposed to prevail, the 8 hours were stretched out over a period of from 10 hours to 12 or 13 hours a day. It is the custom to compel these employees to officially register off duty for periods of an hour or more at different times during the day. Such a system, Mr. Chairman, I do not believe to exist anywhere in the business world or in any other branch of the Government service.

This business of compelling a carrier or clerk to report three or four times a day is a direct injustice. To all intents and purposes the employees might as well be kept steadily at work, for the time that they are off duty is so broken up as to be utterly useless to them. To call such a system an eight-hour day is a parody on the proposition.

The Post Office Department seems to oppose this legislation on the ground that the volume of mails fluctuate greatly from month to month or from day to day. Why, Mr. Chairman, where is there a business that does not have its light days and its heavy days, its dull season and its busy season? But we do not hear of a private employer taking advantage of every dull hour by compelling his employees to register out and walk around the block that the employer might gain that much time; not at all. The private employer knows that his employees will rise to the emergency of the busier period with increased energy. The clerks and carriers in asking for an 8-hour day covering a period of 10 hours, instead of asking for 8 hours covering a period of 9, show their zeal for the service and a desire to contribute in every way that which is reasonable to the efficiency of the service.

But, Mr. Chairman, there is not such a great change in the volume of mail after all. The reports of the department show that for eight months of the year the postal receipts are very uniform. There is no other way to judge of the volume of mail than as the volume may be indicated in the amount of the gross receipts. The department seems to contend that it is fair to work the employees more than eight hours during the heavier season, because they allege that the clerks do not average as much as eight hours in the summer months. Mr. Chairman, this contention is hardly borne out by an investigation of the facts. It is true that there are two months of the year when the volume of mail is subnormal, but these two months are the mid-summer months of July and August, when most people relax from the strain of the busy winter season, but there is no re-

laxation for the clerks and carriers in these two months. It is during these two months of July and August that the more than 32,000 clerks employed in the first and second class post offices of the country take their annual vacation of 15 days. Scarcely any provision is made to provide substitutes for the clerks who are on their annual leaves, with the result that the clerks remaining on duty must also discharge the duties of their fellow clerks who are on vacation. The result is that it very frequently happens that the clerks work even longer hours in the most heated term of the summer than they do in the normal period of eight months of the year. The letter carriers are no better off than the clerks in this respect. As a result of the economy program of the department, the letter carriers are now compelled to not only cover their own routes in the summer-vacation period, but must also cover all, or at least a portion, of the route of their fellow carriers who are on vacation. We can readily see how such a system of false economy impairs the efficiency of the public service and how such a system taxes the carrier to the very limit of human endurance.

Mr. Chairman, the provision in the legislation that in cases of emergency the letter carriers and post-office clerks may be required to work in excess of eight hours, and that they shall be compensated for such extra service according to their salaries, is a most essential feature. I believe it is pretty generally understood that the courts have held that no eight-hour legislation is effective unless a penalty is provided for work performed in excess of the eight hours.

I find in the hearings before the Post Office Committee a copy of a letter addressed to the chairman of the Senate Post Office Committee by the Postmaster General stating the objections of the department to this proposed eight-hour legislation.

In that letter the department states, in reference to this particular section providing for extra compensation for time in excess of eight hours:

There are many who will find in this opportunity to obtain additional compensation for overtime. Such inducement for loitering and wasting time that the additional cost of the service would be very much.

Mr. Chairman, this statement is a most unfortunate and unconfirmed reflection on the honesty and character of this great army of more than 60,000 letter carriers and post-office clerks. These employees have demonstrated their faithfulness to the service just as keenly as have their superiors, who, after all, are themselves only the employees of the same public we are all trying to serve. These employees are only seeking to have established a working day of reasonable length, and, as I have said earlier in my remarks, they have demonstrated their willingness to give the service every advantage by asking that the proposed 8-hour tour of duty may be extended over a period of 10 hours, rather than 9 hours. If no provision was contained in this legislation which the Post Office Committee has inserted in this bill to make it possible that these employees might work in excess of 8 hours, the criticism might well be made that the employees were acting without regard to the emergencies that might arise within the service.

The argument that this proposed 8-hour legislation will be very expensive to the Government seems to me to be wholly without weight. I find on another page of the hearings before the Post Office Committee a statement by the First Assistant Postmaster General as follows:

About 85 per cent of the carriers and clerks complete their tour of duty within 10 hours, and probably 95 per cent within 11 hours, but in some instances their 8-hour tours of duty extend over 12 or 13 hours, I presume.

This official statement of the department disposes of the specter that a great expense is involved. But, Mr. Chairman, even if there should be a considerable expense involved, because under the operation of this proposed legislation it would become necessary to pay the employees extra pay for time worked in excess of 8 hours or to employ an additional force so that the work might be accomplished within 8 hours, who is there that can object to such an expense so justly incurred? This is a great Government, and it owes it to itself to deal justly and fairly with its own employees that a decent example may be set to private employers.

Mr. Chairman, I have no doubt that the people of the country labor under the impression that the letter carriers have an 8-hour day. It is true that away back in 1888 Congress did enact an 8-hour day for letter carriers and provided that they should be paid extra if they worked more than 8 hours. It was necessary to go to court and secure a decision from the highest court in the land to the effect that if the carriers worked more than 8 hours they would have to be paid for it before the department attempted to put their 8-hour law into operation. This decision of the Supreme Court, as to the necessity of paying the carriers for their overtime, was handed

down, I believe, in 1895, and it was not until then that the department issued orders that the schedules of letter carriers should be so arranged that they could not work more than 8 hours a day. Mr. Chairman, the fact that the department could arrange these schedules so that from 1895 to 1901 the carriers were not permitted to work more than 8 hours, and yet serve the public well and efficiently, is the best reason for entertaining the belief that the officials of the department can again arrange the schedules of the clerks and carriers under this proposed legislation so that the employees will not be permitted to work more than 8 hours per day. I know that the carriers are very much dissatisfied with the conditions under which they labor now, and justly so. Some 10 years ago a provision was incorporated in one of the appropriation bills providing that letter carriers might be required to work as nearly as practicable only 8 hours on each working day, but not in any event exceeding 48 hours during the 6 working days of the week. This proviso in the appropriation bill made no provision for the payment to the letter carriers for any time that he works in excess of 48 hours per week. The result was, of course, that the letter carrier virtually found himself without any legal protection as to his hours of labor, because he could be compelled to work in excess of the 48 hours per week and could receive no compensation therefor. The first year following the enactment of this provision this 48-hour per week law for the letter carriers was put into effect with results that were disastrous to the service and to the letter carriers as well.

An opinion from the legal branch of the Post Office Department was to the effect that this 48-hour per week proviso in the appropriation bill automatically expired with the end of the year for which the appropriation was made. Under orders from the department, commencing in 1901, I believe, the carriers then returned to work under the conditions of their old eight-hour law of 1888. I am advised that in 1910 the department caused a suit to be brought in the Court of Claims to determine if this 48-hour proviso in the appropriation bill of 1901 superseded the letter carriers 8-hour act of 1888, and the decision of the Court of Claims was to the effect that the 48-hour per week proviso is in force and does supersede the original 8-hour act of 1888. Since this decision of the Court of Claims in 1910, the carriers have been working under this 48-hour provision. Under its operation, many abuses have grown up. Complaints from the public as to the character of service they receive have multiplied. It is not generally known that the letter carrier is now compelled to stretch his 8 hours of daily duty over a period of 12 hours or more. These men frequently report for duty as early as 6 o'clock in the morning, and do not definitely leave the post office for home until 6 in the evening. Such conditions demand the enactment of such legislation as is contained in this bill, which will give a definite status to the hours of labor of these employees.

ANTIGAG PROVISION.

Mr. Chairman, there is another important provision in this bill known as the antigag provision.

No greater danger to a free government can be suggested than to attempt to deny to any of the people the right of free speech and the right to petition Congress. It is humiliating that in this day of progressive government the Congress should find it necessary to enact legislation to give back to some of our citizens the right which was guaranteed to them under the Constitution. The provision incorporated in this appropriation bill by the Post Office Committee, to the effect that the Post Office employees shall have the right to petition Congress or any Member of Congress for a redress of grievances; that no employee of the civil service shall be removed from the service without having been furnished with a copy of the charges on which the order for his removal is based and given an opportunity to make a written defense and to submit affidavits in support of his defense, is but an act of elemental justice.

Again, the committee is to be congratulated for having brought this proposed legislation before this body. No better evidence of the responsiveness of Congress to the will of the people could be found than in the enactment of this legislation.

This is a representative Government and woe unto the Nation when the time comes when the people are deprived of the right of appeal to their Representatives in Congress.

The vast army of Government employees have signed no agreement upon entering the service of the Government to give up the boasted liberty of the American citizens.

There has been growing an intolerable spirit of bureaucracy in the official circles of the Government which must be overcome at all hazards.

The spirit of the department head that he has been constituted the sole protector of the employees who come under his jurisdiction must be rebuked.

It is for Congress to say what treatment this Government shall accord its employees, and it is for the executive branch of this Government to faithfully carry out the intention of Congress.

It is an intolerable condition that the executive branch of the Government shall say to the Congress who shall and who shall not have the right of appeal to it.

Yet, that it the condition that has existed by virtue of the Executive order, which has properly come to be called the gag order, that forbids the employees either individually or through associations, directly or indirectly, to appeal to Congress or to any Member thereof for a redress of their grievances.

Mr. Chairman, I believe that every Member of this body has independence enough to meet the employees of this Government, listen to their grievances, and say yes or no to their requests, according to their belief or disbelief in the presentation.

To bar the employees and the officers of the associations of employees from appealing direct to Congress, invites the suggestion that the department heads do not want Congress to know what the real conditions are.

Such an assumption of arrogance must be frowned upon.

The protection afforded the civil service employees in this section of the appropriation bill will stay the hand of many an official executioner who, for personal reasons or for political reasons, would take the head of a civil service employee.

The Members of this body have no more reason to be alarmed about the annoyance which may come to them from the appeals of the Government employees than from the appeals of any other class of their constituents, and I do not believe the Members of this body are at all anxious to avoid any of their responsibilities.

The proposed promotion of 75 per cent of the clerks and carriers from \$1,100 to \$1,200 in first-class offices, and from \$1,000 to \$1,100 in second-class offices, is a very fair and deserving one.

The act making appropriations for the postal service for the year ending June 30, 1908, contained a provision for the classification of the salaries of post-office clerks employed at first and second class post offices and letter carriers in the City Delivery Service. The salaries are classified by this act as follows: First grade, salary \$600; second grade, salary \$800; third grade, salary \$900; fourth grade, salary \$1,000; fifth grade, salary \$1,100; sixth grade, salary \$1,200.

Mr. Chairman, this classification act further provided that clerks and carriers at first-class offices shall be promoted successively to the fifth grade, and clerks and carriers in second-class offices shall be promoted successively to the fourth grade.

It was provided that all promotions under this act could only be made upon evidence satisfactory to the Post Office Department of the efficiency and faithfulness of the employees during the preceding year. In this classification act Congress established a sixth, or \$1,200, grade for clerks and carriers in first-class offices, but unfortunately did not exactly specify how the clerks and carriers should be promoted to this grade. In the same manner Congress established a fifth, or \$1,100, grade, and a sixth, or \$1,200, grade for clerks and carriers at second-class offices, and did not specify how the employees might be promoted to these grades.

In the annual Post Office appropriation bill, for the year ended June 30, 1909, Congress gave a clear interpretation of the intention of the classification act, at least in so far as promotions at first-class offices are concerned, by appropriating for the promotion of 100 per cent of the clerks and carriers who might be eligible on account of efficient services and necessary length of service to the sixth, or \$1,200, grade.

In the act making appropriations for the fiscal year ended June 30, 1910, Congress appropriated a sufficient sum for the promotion of 50 per cent of the clerks and carriers in second-class offices from the fourth to the fifth grade, or from \$1,000 to \$1,100. This was the first legislation to promote these employees above \$1,000.

In the same act, however, Congress, for some unaccountable reason, did not follow the precedent of the preceding year and only appropriated a sufficient sum for the promotion of 50 per cent of the clerks and carriers in first-class offices from the fifth to the sixth grade, or from \$1,100 to \$1,200. Since that time Congress each year has only been appropriating for the promotion of 50 per cent of the clerks and carriers in first-class offices from \$1,100 to \$1,200 and in second-class offices from \$1,000 to \$1,100. The fact that only one-half of the employees in these grades could be promoted each year, regardless of their efficiency, has given rise to great dissatisfaction and, as might be expected where an arbitrary limit of 50 per cent of those eligible for promotion has been fixed, many injustices are committed in selecting those who shall be promoted.

In each post office throughout the country the clerks and carriers who are eligible for promotion in these particular grades

are dependent upon the recommendation of their postmaster. Naturally under such a system discrimination is bound to be practiced, and it has been practiced; and favoritism is bound to be shown, and it has been shown. As an instance of the power of interpretation now invested with the department in these particular grades as to promotions it may be cited that the department has ruled that the 50 per cent provision governing these promotions applies to the individual post office rather than to the employees of the service as a whole.

As a result of this ruling a clerk or carrier who happened to be in the unfortunate position of being the only employee eligible for promotion in either of these particular grades was denied promotion by the department, regardless of the most extraordinary efficiency, because of the contention of the department that to promote this one eligible employee would be to promote more than 50 per cent of those eligible in that particular office. In like manner, if there happened to be three employees eligible for promotion the department would only sanction the promotion of one. If there happened to be five employees the department would only sanction the promotion of two. In every instance only the minor fraction was recognized in these grades when it came to promotions.

The really correct way to remedy this condition is to amend the salary-classification law of the clerks and carriers so as to make promotion to the maximum grades in first and second class offices contingent only upon the established efficiency of the employee, in just the same manner as promotions are now regulated in all of the other grades. While the Post Office Committee has not seen fit at this time to recommend such an amendment to the classification law, the Post Office Committee has made provision for the promotion of 75 per cent of the clerks and carriers in first-class offices from the \$1,100 to the \$1,200 grade and for the promotion of 75 per cent of the clerks and carriers in second-class offices from the \$1,000 to the \$1,100 grade, and the committee deserves great credit therefor.

No doubt it was the intention of the Post Office Committee in providing for the promotion of 25 per cent more of the clerks and carriers in these particular grades than heretofore to serve notice on the Post Office Department that it is the intention of Congress that these promotions are to be made upon the basis of the efficiency of the employees in these grades throughout the entire service, and not on the basis of any particular office. It is my belief that a more intelligent and rational system can be applied in disbursing these promotions than the system which has been in operation and which has been responsible for so much dissatisfaction and discrimination.

Another indication of injustices which have existed in the operation of the salary law in its application to the clerks can be found in the attitude of the department in preventing the promotion of certain of the clerks to the maximum grades because they were not engaged in a particular kind of post-office work. Prior to the passage of the classification act, in March, 1907, post-office clerks were known under different designations, such as "money-order clerks," "registry clerks," "distributors," "stamp clerks," and so forth. As a result of the use of these different designations there was much confusion of administration. Congress, in enacting the classification law, which was contained in the appropriation act for the fiscal year ending June 30, 1908, sought to eliminate this confusion by using only the term "post-office clerk." It was clearly the intention of Congress that all clerks, wherever employed, were eligible for promotion to the maximum grade if they acquired a satisfactory degree of efficiency in the work in which they were engaged.

The attitude of the department in assuming to itself the right to read into the classification act a construction never intended by Congress is indefensible. To deny promotion to clerks with the highest efficiency ratings in their respective offices because they may be employed as money-order clerks, registry clerks, stamp clerks, general-delivery clerks, "nixie" clerks, and so forth is a most serious discrimination against these clerks and one which Congress never intended.

Just as long as it remains possible to practice discrimination in promotions in these particular grades through failure to appropriate a sufficient sum for the promotion of all of the efficient employees, then just that long will we witness a continuance of the obnoxious "speed-up" system which is now being practiced. Congress has set its standard of disapproval upon the so-called Taylor shop system of efficiency because Congress did not believe it was real efficiency to crowd an employee to such a speed in his work that he must soon become a physical wreck. It is exactly the principle of the Taylor system that is being put into effect in our post offices, and unless the employees are relieved from its harassing influences we will witness the breaking down of many competent and efficient postal employees.

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on the section and all amendments thereto be closed in five minutes.

Mr. DYER. Mr. Chairman, I move to amend that by providing that it be closed now.

Mr. MOON of Tennessee. Very well, Mr. Chairman; I will so modify my motion.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee that all debate on the section and all amendments thereto be now closed.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN] to strike out the section.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 1, noes 132.

So the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Flood of Virginia 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 agreed to the amendments of the House of Representatives to bills and joint resolution of the following titles:

S. 4623. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5045. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5194. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5670. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. J. Res. 102. Joint resolution relative to the rebuilding of certain levees on the Mississippi River and its tributaries.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 5624) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURNHAM, Mr. BRADLEY, and Mr. POMERENE as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 22043. An act to authorize additional aids to navigation in the Lighthouse Service, and for other purposes.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to furnish to the House of Representatives, in compliance with its request, a duplicate engrossed copy of the bill (S. 2224) to amend an act to regulate the height of buildings in the District of Columbia, approved June 1, 1910.

POST OFFICE APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

SEC. 7. That after June 30, 1912, the Postmaster General may appoint railway postal clerks in such manner and of such respective grades and salaries as may be provided for in the annual appropriation acts for the service of the Post Office Department, for the purpose of sorting and distributing the mail in railway post offices, railway post-office terminals and transfer offices, and for service in the offices of division superintendents and chief clerks, and as transfer clerks and such other services as may pertain to the Railway Mail Service. Such clerks shall be designated as railway postal clerks and shall be divided into the following grades, with corresponding salaries per annum not exceeding the following rates:

Mr. MANN. Mr. Chairman, I move to strike out the last word. I simply want to ask the gentleman from Tennessee whether he has any further taken into consideration the suggestion I made the other day that this reclassification of the Railway Mail Service seems to be in conflict with that part of the bill which appropriates for the clerks in the Railway Mail Service, and whether any amendment could be offered which would make the appropriation carried in the bill available under this reclassification?

Mr. MOON of Tennessee. Mr. Chairman, I will be candid with the gentleman about that. The purpose is to get the law. It will take perhaps a year or more to make the reclassification. There is no necessity for an appropriation until next year.

Mr. MANN. I think the gentleman could hardly be correct about that. This section authorizes the reclassification to commence with the beginning of the next fiscal year, and it might readily happen that in some one class of the reclassification there would be a greater or less number at a fixed salary than the number carried in the appropriating part of the bill.

Mr. MOON of Tennessee. Possibly so.

Mr. MANN. It must be so, if there is any change made.

Mr. MOON of Tennessee. I will inform the gentleman that the committee acted on the advice of the department in this matter.

Mr. MANN. Would it not be perfectly feasible to make the appropriation which has already preceded this portion of the bill available for the reclassification provided by this section?

Mr. MOON of Tennessee. That might be true. That could be done. There is no question about that, but the necessity for its being done does not exist, in view of the fact that the department does not think it can make a reclassification before the next appropriation.

Mr. MANN. Well, my information is that the department does not expect to make this classification on June 30, 1913, at all; that they expect to put into effect this reclassification during the next fiscal year.

Mr. FINLEY. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. FINLEY. I call the gentleman's attention to this fact: This is only a proposed law; it is not a law yet; and the Post Office Committee did not feel they were warranted in bringing in an appropriation to carry out something that has not yet become a law.

Mr. MANN. I have not suggested changing the appropriation, but it is a very simple proposition here to provide that the money appropriated under this act for railway mail clerks shall be available under this classification as it is put in operation.

Mr. MOON of Tennessee. Unquestionably that is true; but the department did not think it was necessary, and therefore it is not put in the bill.

Mr. FINLEY. And I will say, further, my understanding is that is satisfactory to the parties interested.

Mr. MANN. I will say, whether there is a presidential order on the subject or not, I have conferred with gentlemen who are interested in the Railway Mail Service, and if I did not think this bill had to go through another body where it would be perfected I should offer an amendment to it now.

Mr. FINLEY. I think I know as much—possibly a little more—than the gentleman from Illinois on the question of what the postal clerks wish.

Mr. MANN. Why, I think possibly the gentleman knows more about the Post Office Department than I do. I am not perfect and do not know all about that or anything else.

Mr. FINLEY. I did not make that statement.

Mr. MANN. Well, I make the statement that this bill will not become a law in this shape. It will be changed by a body that is not as negligent as the House.

The Clerk read as follows:

After June 30, 1913, clerks in class A shall be promoted successively to grade 3, clerks in class B shall be promoted successively to grade 4, and clerks in class C shall be promoted successively to grade 5, at the beginning of the quarter following the expiration of a year's satisfactory service in the next lower grade. Promotions above these grades within the maximum grades of the classification may be made in the discretion of the Postmaster General for meritorious service. No promotion shall be made except upon evidence satisfactory to the Post Office Department of the efficiency and faithfulness of the employee during the preceding year.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 7, after the word "and," strike out the word "thirteen" and insert the word "twelve."

Mr. MOORE of Pennsylvania. Mr. Chairman, it is proposed by this amendment to give these clerks as classified something substantial in this year—1912. If it is proposed to increase their pay, as indicated by the bill, there is no reason why the increase should be held up for one year. Let it begin now—in the year 1912. To hold out the year 1913 carries the promise of relief beyond the power of the present Congress. This Congress can raise these salaries now, and can fix the status of these clerks at once. After this bill is passed it will be in the hands of another Congress. Now, if we propose to do this thing in a substantial way for the railway clerks, do it so that it will go into effect while we have the power to do it.

Mr. FINLEY. Mr. Chairman, this matter was considered, and to carry this amendment means to place in the bill an additional appropriation necessary to carry it out. Now, if the committee is prepared to do that, why I have no particular ob-

jection, but the Post Office Committee fixed this matter in this way after a full consideration. We went over this matter with the Post Office officials and then we went over it with those who are vitally interested in this section of the bill, and it was satisfactory—

Mr. MOORE of Pennsylvania. But the gentleman knows if we pass the bill in its present form it will have no effect upon a succeeding Congress.

Mr. FINLEY. But the gentleman is mistaken. After June 30, 1913, the classification is obligatory, it is mandatory, so the gentleman is mistaken about that.

Mr. MOORE of Pennsylvania. I do not think it would be if the next Congress should decide not to act. We have the power to do it now at this session of Congress, and we ought to do it.

Mr. FINLEY. The next Congress can repeal any act it sees fit. Mr. MOORE of Pennsylvania. It seems to me that instead of holding out a promise for the future it might as well be made good at the present time. This is a worthy class of employees. These are men to whom everybody wants to do exact justice.

Mr. FINLEY. I will say to the gentleman that the railway mail clerks desire to have the law fixed and certain, and he knows that the classification could not be put into effect in a few months. It will take time to work it out.

Mr. MOORE of Pennsylvania. I submit the matter. We have it up now, and it seems to me better to do it now while we have the power.

Mr. FINLEY. We have the power to fix the law, but the time necessary to effect the classification will take months. The committee considered it very seriously and fixed it to the satisfaction of everybody concerned.

Mr. MOORE of Pennsylvania. Suppose it should be found, in view of the appropriation bills that are coming in, and in view of the fact that we may not be able to provide next year for all of the things contemplated by existing bills, that we can not then give these clerks this increase?

Mr. FINLEY. Unquestionably the next appropriation bill will have to carry the increased appropriation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. Moore].

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

Mr. MOORE of Pennsylvania. Division, Mr. Chairman.

The committee divided; and there were—ayes 31, yeas 70.

So the amendment was rejected.

The Clerk read as follows:

SEC. 8. That hereafter postage shall be paid on matter of the fourth class at the rate of 12 cents per pound, except as herein provided.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This is the beginning of the parcel-post section which covers a number of paragraphs, and I would like to see whether we can have some understanding with reference to the reading and consideration of it and the amendment which will be offered.

Mr. MOON of Tennessee. I will say to the gentleman from Illinois [Mr. MANN] that we propose to offer a committee substitute to section 8.

Mr. MANN. The bill is now being read by paragraphs, and we have read the first paragraph which fixes the rate of postage on fourth-class matter.

Mr. MOON of Tennessee. Read section 8 as a whole.

Mr. MANN. It does not come before the House as a whole, unless by some agreement, and the gentleman might have found himself in a position where it would all be agreed to before he offered his substitute to change it.

Mr. MOON of Tennessee. I have no objection to considering it either way, so far as I am concerned.

Mr. MANN. I understand.

Mr. MOON of Tennessee. I ask unanimous consent to have the whole section read and the substitute be offered for it.

Mr. MANN. Can we not have some understanding not only as to the substitute which the gentleman proposes to offer, but also as to the Goeke amendment and amendments or substitutes to the different propositions?

Mr. MOON of Tennessee. I had thought we would take up this section and dispose of it, and take up the Goeke amendment and dispose of it, but I have no objection to any reasonable arrangement about it.

Mr. MANN. The Goeke amendment is in order in connection with section 8, but whether it would be in order now I do not undertake to say, because that question has not arisen and may not. Can not we reach some agreement as to procedure?

Mr. MOON of Tennessee. If the House should substitute the Goeke amendment it probably would not be considered at all. I would prefer to offer the substitute to section 8 and dispose of it and then take up the Goeke amendment.

Mr. MANN. Does the gentleman say that if the gentleman's substitute be agreed to that the Goeke amendment will probably not be offered?

Mr. MOON of Tennessee. I can not say for myself. The gentlemen are present, and that is what they say.

Mr. MANN. I understand the substitute is agreeable to the gentlemen who are favoring the Goeke proposition.

Mr. LEWIS. Our understanding of the proposed substitute is that we strike out section 8, with perhaps the exception of the rural clause, and that all parcel-express legislation be taken up by the committee, covered by the substitute to be offered, to report on the first Monday in December.

Mr. MANN. I ask unanimous consent that the gentleman from Tennessee [Mr. Moon] may now offer a substitute for section 8 before the rest of section 8 is read.

The CHAIRMAN. Including the Goeke amendment?

Mr. MANN. No; not including the Goeke amendment. If the substitute be not agreed to, of course the rest of section 8 would be read.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks that the gentleman from Tennessee [Mr. Moon] be allowed now to offer his substitute for section 8.

Mr. ADAMSON. Reserving the right to object, Mr. Chairman, I have no disposition to antagonize any program of the Committee on the Post Office and Post Roads, but I wish to say that if the time comes when a proposition from our committee to consider express rates and express companies is to be taken up I have an express bill which is made to supplement and cooperate with the Rural Delivery Service, on which I made some remarks a few weeks ago, and which I wish to offer as a substitute for the Goeke bill, if it is offered in the House.

Mr. MANN. The request would not interfere with that.

Mr. SULZER. Mr. Chairman, reserving the right to object, I desire to offer my bill for a general parcel post as an amendment to section 8, and I want to do so before the Goeke amendment is offered. I have no objection to having the substitute offered by the gentleman from Tennessee read, but I wish to have my amendment read also.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Tennessee [Mr. Moon] be now allowed to offer a substitute for section 8. Is there objection?

Mr. STEENERS. Reserving the right to object—

Mr. ANDERSON of Minnesota. Mr. Chairman, reserving the right to object, I would like to ask whether it will be in order to offer more than one substitute for section 8, or to offer the substitute of the gentleman from Tennessee on the part of the committee?

The CHAIRMAN. The Chair will state that it is the opinion of the Chair that it will not be in order to offer any more substitutes until the substitute offered by the gentleman from Tennessee is disposed of.

Mr. ANDERSON of Minnesota. Then I object.

Mr. MANN. Mr. Chairman, I ask unanimous consent that section 8 may be read and considered as one section as a whole.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that section 8 may be read and considered as one section as a whole. Is there objection?

Mr. BORLAND. Does that include the offering of amendments to any portion of section 8?

Mr. MANN. That does not prevent the offering of amendments to any portion of section 8.

The CHAIRMAN. There is no objection, and it is so ordered. The Clerk will read.

The Clerk read the next section of the bill, as follows:

SEC. 8. That hereafter postage shall be paid on matter of the fourth class at the rate of 12 cents per pound, except as herein provided.

That no article, package, or parcel shall be mailable as matter of the fourth class which exceeds 11 pounds in weight, except as herein provided.

That on each and all rural mail delivery routes of the United States the postmaster at the starting point of such route shall until June 30, 1914, receive and deliver to the carrier or carriers of said routes all articles, parcels, or packages not prohibited to the mails by law and falling under the definition of fourth-class matter and not weighing in excess of 11 pounds, for transportation and delivery on said routes only; and the carriers shall receive at intermediate points on all rural routes such mail matter of the fourth class for delivery on their respective routes only.

That postage shall be paid on all articles, parcels, or packages entitled to transportation under the provisions of this act as matter of the fourth class on rural mail delivery routes only at the following rates: One cent for each 2 ounces or less, 2 cents for more than 2 ounces but not more than 4 ounces, 3 cents for more than 4 ounces but not more than 8 ounces, 4 cents for more than 8 ounces but not more than 12 ounces, 5 cents for more than 12 ounces but not more than a pound, and 2 cents per pound for each additional pound or fraction thereof up to and including a total of 11 pounds. That the Postmaster General shall make all rules and regulations necessary and not inconsistent with law to the proper execution of this act.

That for the purpose of a full and complete inquiry and investigation into the feasibility and propriety of the establishment of a general

parcels post a commission of six persons, three of who shall be appointed by the Speaker of the House of Representatives and three by the President of the Senate, is constituted, with full power to appoint clerks, stenographers, and experts to assist them in this work. They shall review the testimony already taken on the subject of parcels post by Senate and House committees and take such other testimony as they deem desirable. For the purpose of defraying the expenses of this commission, the sum of \$25,000 is hereby appropriated out of the moneys in the Treasury not otherwise appropriated.

Mr. MOON of Tennessee. Mr. Chairman, is a substitute now in order, or will the bill have to be amended by line?

The CHAIRMAN. It is in order.

Mr. MOON of Tennessee. I offer a substitute, which I send to the Clerk's desk.

Mr. MADDEN. Mr. Chairman, may I ask the gentleman from Tennessee a question?

Mr. MOON of Tennessee. Yes.

Mr. MADDEN. Did I understand the gentleman from Tennessee to say that this is a committee substitute?

Mr. MOON of Tennessee. I have not called the committee together about it, but a majority of the committee agree to it. I have not called the committee together.

Mr. MADDEN. I wanted it understood. That is all.

Mr. MARTIN of South Dakota. Mr. Chairman, I offer a substitute, to be read for information.

Mr. SULZER. Mr. Chairman, as I understand it, the gentleman from Tennessee [Mr. Moon] is offering as a committee amendment a new section, by way of a substitute to section 8. It is a new section, is it not?

Mr. MOON of Tennessee. It is a substitute.

The CHAIRMAN. The Chair understands that the gentleman from Tennessee [Mr. Moon] is offering a substitute for section 8.

Mr. SULZER. I wish to inquire, then, Mr. Chairman, if my amendment to strike out and insert in section 8 will be in order?

The CHAIRMAN. It is in order to perfect the text of section 8.

Mr. SULZER. Very well.

The CHAIRMAN. The Clerk will read the substitute offered by the gentleman from Tennessee [Mr. Moon].

The Clerk read as follows:

SEC. 8. That hereafter postage shall be paid on matter of the fourth class at the rate of 12 cents per pound, except as herein provided.

That no article, package, or parcel shall be mailable as matter of the fourth class which exceeds 11 pounds in weight.

That on each and all rural-delivery routes of the United States the postmaster at the starting point of such route shall, until June 30, 1914, receive and deliver to the carrier or carriers of said routes all articles, parcels, or packages not prohibited to the mails by law and falling under the definition of fourth-class matter and not weighing in excess of 11 pounds for transportation and delivery on said routes; and the carrier shall receive at intermediate points on all rural routes such mail matter of the fourth class for delivery on rural routes only.

The postage shall be paid on all articles, parcels, or packages entitled to transportation under the provisions of this act as matter of the fourth class on rural mail delivery routes only at the following rates: Five cents per pound and 1 cent per pound for each additional pound or fraction thereof up to and including a total of 11 pounds. That the Postmaster General shall make all rules and regulations necessary and not inconsistent with law to the proper performance of this act and shall provide for the transportation of farm and factory products as fourth-class matter if not perishable in transportation.

That for the purpose of a full and complete inquiry and investigation into the feasibility and propriety of the establishment of a general parcel post or express post, a joint committee of six persons, three of whom shall be appointed by the Speaker of the House of Representatives and three by the President of the Senate, is constituted, with full power to appoint clerks, stenographers, and experts to assist them in this work. They shall review the testimony already taken on the subject of parcel post by Senate and House committees and take such other testimony as they deem desirable. For the purpose of defraying the expenses of this commission the sum of \$25,000 is hereby appropriated out of the moneys in the Treasury not otherwise appropriated. The committee shall report fully to Congress on the first Monday in December, 1912.

Mr. MOON of Tennessee. Mr. Chairman, I move to strike out section 8 and to substitute the matter just read in the place of it.

In explanation of this section, I desire to say that the bill when reported to the House was, so far as the parcel-post proposition was concerned, as nearly in skeleton form as it was possible to present the question to the House. It was not the purpose of the committee at that time to present a full and complete parcel-post system, either of a general character or confined to the rural routes, but it was its purpose to fill in the matter as far as possible, if justified in the discussion, so as to give ultimately under this legislation a complete parcel-post system, experimental for the term of two years, to the rural districts of the United States.

Before taking up the other section I will inform the House that the amendment on the rural section is this: Instead of 5 cents for 1 pound, with fractions between 5 and 11, and all other pounds at 2 cents, the proposition before the House changes it so as to give 5 cents for the carriage of the first pound and 1 cent a pound thereafter—11 pounds, the limit fixed in the bill, to be carried for 15 cents. And it is not now confined, as it was

in the original proposition, to a single rural route, but the package may pass over any and all rural routes, but not over any other mail route of the Government of the United States.

Mr. MARTIN of South Dakota. Will the gentleman yield for a question?

Mr. MOON of Tennessee. Certainly.

Mr. MARTIN of South Dakota. The gentleman's proposition is not in print. I followed the reading very carefully in comparison with section 8 as printed, and it seemed to me that the language as to the route this special service could go over is precisely the same in the substitute as in the printed bill.

Mr. MOON of Tennessee. No; it provides that a package may go over any rural route.

Mr. MARTIN of South Dakota. I have sent to the Clerk's desk an amendment by way of perfection of the printed section 8, providing for the sending of these rural-route packages over any rural routes centering in the same town, and I did not hear anything of that character read from the Clerk's desk.

Mr. MOON of Tennessee. That is the evident purpose and meaning of the section that now appears in the substitute.

Mr. CANNON. That is to say, if I understand, A is the center point of a dozen rural routes. Matter originating at the central point may go to any one of the routes, and matter originating on any one of the routes may go to any one of the dozen routes centering at that place.

Mr. MOON of Tennessee. Yes.

Mr. CANNON. But can not go a thousand miles away.

Mr. MOON of Tennessee. It must be confined to rural routes.

Mr. CANNON. Emanating from that point.

Mr. MOON of Tennessee. Emanating from that point.

Mr. SIMS. Or any loop route from any of those routes.

Mr. BUTLER. It can not go beyond rural-route territory.

Mr. MOON of Tennessee. That is correct.

Mr. MADDEN. The question I want to ask the gentleman from Tennessee, in order to get a clear idea, is this: This provision in the bill originally provided that the package must originate at the starting point of the rural delivery route, and that the carrier might deliver it at any point along that rural route, and that he might pick up any package at any intermediate point and leave it at any other intermediate point. Does the provision now offered by the gentleman from Tennessee provide that the package may be taken on to some other rural route?

Mr. MOON of Tennessee. It provides that it may be taken anywhere on a rural route, for delivery on a rural route.

Mr. MADDEN. Suppose the package originates in the town in which the gentleman from Tennessee lives and that several rural routes start from that town. Does this provision mean that the package can only go to any of the rural routes starting from that town or that it can be transferred by rail to some other rural route?

Mr. MOON of Tennessee. No; it does not mean that it shall be transferred by rail. It means that it may go from any rural route to any other rural route.

Mr. SIMS. Any other connecting rural route.

Mr. MOON of Tennessee. Confined to rural routes strictly.

Mr. MADDEN. What I want to get at is this: If there are six rural routes starting from one post office it would go on any one of those six routes. But suppose I wanted a package to reach a route that did not start from that office?

Mr. MOON of Tennessee. If it did not start on any rural route at all?

Mr. MADDEN. Suppose I was a thousand miles away?

Mr. MOON of Tennessee. And you had to send it over some other route than a rural route?

Mr. MADDEN. Suppose I wanted to get it on some rural route on which I live?

Mr. MOON of Tennessee. You could not do it unless there was a transportation by rural route to the point you wanted to reach.

Mr. MADDEN. There would be no possibility of my getting the package if I was not on a route directly served from the post office from which it starts?

Mr. MOON of Tennessee. Certainly; or some connecting rural route.

Mr. MURDOCK. Will the gentleman yield?

Mr. MOON of Tennessee. Certainly.

Mr. MURDOCK. I would like to ask the gentleman from Tennessee this: I listened to his substitute but did not get it very clearly in my mind. What will it cost to send a 14-ounce package, fourth-class mail matter, under his substitute?

Mr. MOON of Tennessee. Five cents for the first pound, and 1 cent for the next pound or fraction thereof.

Mr. MURDOCK. I am referring to packages sent from city to city and not the rural feature—a 14-ounce package.

Mr. MOON of Tennessee. Under the substitute that provision is 12 cents, the international rate.

Mr. MURDOCK. Then, under the substitute a 14-ounce package would cost 14 cents at the present rate, but would cost 24 cents under the gentleman's substitute?

Mr. MOON of Tennessee. I think it would, and I am going to move to strike out the first part of the substitute.

Mr. MADDEN. Suppose the package starts at a given post office to be delivered on any branch or rural route within the jurisdiction of that post office. Suppose a citizen of the United States living a hundred miles away, who was on a rural route, wanted to get the package that was coming from this post office, would there be any objection under this substitute to the transportation of that package by express to the post office from which the other route started?

Mr. MOON of Tennessee. This section does not provide for anything by express.

Mr. MADDEN. No; but could you stop me?

Mr. MOON of Tennessee. I could not stop you. If the gentleman lived in Chicago, which he does, and wanted to send a package to some rural route in Maryland, he might express the package to the initial point of that route and then send it over the rural route. There is nothing to prevent that.

Mr. MADDEN. There would be nothing to prevent transportation of packages to any point in the United States by express for delivery on a rural route?

Mr. MOON of Tennessee. If you paid the expressage or you paid the ordinary mail rate and then had it sent over the rural route you could send it. You could send it at the cheap rates.

Mr. MADDEN. The original proposition reported by the committee was that the package must originate on the rural route.

Mr. MOON of Tennessee. It must originate on some rural route now. I do not mean that the matter must be grown up on the route, but it must be presented there.

Mr. MADDEN. I could start a factory in any town to manufacture goods to be transported by express to any rural route in the United States, and then over a rural route, under the substitute offered by the gentleman from Tennessee?

Mr. MOON of Tennessee. I did not quite catch the gentleman's question.

Mr. MADDEN. I say that this opens the whole question of transportation of any package proposed to be delivered by rural mail so that the express companies can ship the packages to the point where the rural route begins and then over the rural route at any point in the United States.

Mr. MOON of Tennessee. Mr. Chairman, this is the simplest proposition in the world. It provides for nothing except the rate on a rural route of 5 cents for the first pound and 1 cent for each pound or fraction thereafter. The matter has to be delivered on a rural route and for delivery ultimately on some other rural route.

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

Mr. KENDALL. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended 10 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the gentleman's time be extended 10 minutes. Is there objection?

The was no objection.

Mr. CANNON. Will the gentleman yield?

Mr. MOON of Tennessee. I yield to the gentleman from Illinois.

Mr. CANNON. I think I understand where the mail originates on the rural route, and it seems to me that that has been gone over three or four times. As I understand the gentleman's proposition, a package could be shipped from New York to any place in the United States on a rural route, but the rate of postage would be what we call the international rate. Is that correct?

Mr. MOON of Tennessee. Yes.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I want to ask the gentleman a question. It may have been answered, but if it was I did not hear it. I want to take up the proposition suggested by the gentleman from Illinois [Mr. MADDEN]. Suppose there is a post office with 6 routes, Nos. 1, 2, 3, 4, 5, and 6, and a parcel is started out in the country on one route and brought into the post office and then sent out on another route from the same post office, can that be done, under the gentleman's substitute, for one postage?

Mr. MOON of Tennessee. The mail matter of the fourth class under the low rate may pass over any rural route, but not over any other mail route.

Mr. MICHAEL E. DRISCOLL. Can it come in on one and go out over another?

Mr. MOON of Tennessee. Yes; of course.

Mr. SULZER. Mr. Chairman, under the gentleman's proposed substitute can a merchant in a city send through the post office 11 pounds to anybody living in the country?

Mr. MOON of Tennessee. He can do it if he will go to the post office and start it on a rural route.

Mr. SULZER. What will it cost him to do it?

Mr. MOON of Tennessee. On 11 pounds it will cost him 15 cents under this amendment.

Mr. SULZER. How will he get it from the city to the rural route?

Mr. MOON of Tennessee. The rural routes emanate often from the city. Matters are sent off on the rural routes from the city. If he wants to send it on one of those rural routes, he could do it. If he wants to send it on a mail route and then to a rural route, he would have to pay ordinary postage.

Mr. SULZER. Do I understand the gentleman from Tennessee to tell us that under his amendment which has just been read anybody in the United States can send 11 pounds through the mails for 25 cents on any rural route to any place in the United States?

Mr. MOON of Tennessee. Oh, no.

Mr. SULZER. I would like to have the matter elucidated, so that we can understand.

Mr. MOON of Tennessee. It is very easily understood, if the gentleman will think about it for one minute. The rate is intended for rural routes only. If the matter passes over any other route than a rural route, the rate does not apply.

Mr. SULZER. Then you would have to pay just the same as you do now?

Mr. MOON of Tennessee. Of course. I am not attempting to cover the general parcel post with this.

Mr. SULZER. Then this would bring practically no relief to the people of the United States.

Mr. HAMILTON of Michigan. I understand, in a general way, that the difference between the gentleman's original proposition and the substitute is that in the original proposition you could send a package from one point to another point on a single route emanating from the same post office.

Mr. MOON of Tennessee. Yes.

Mr. HAMILTON of Michigan. But under the substitute you could send a package from a point on one route to any point on any other route emanating from the same office.

Mr. MOON of Tennessee. Yes; provided it all passes over a rural route and nothing else.

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

Mr. RAKER. Mr. Chairman, I ask unanimous consent that the gentleman be granted 10 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Chairman, I would like to ask the gentleman whether, inasmuch as this proposed substitute has not been printed and there has been no opportunity for the membership to study it, it can not go over until to-morrow or next day?

Mr. MOON of Tennessee. Mr. Chairman, I will answer the gentleman's question by stating that it is possible to have it go over, but there would be no sense in doing it. It is a simple thing. There is very little change from the original proposition.

Mr. MARTIN of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. MOON of Tennessee. Yes.

Mr. MARTIN of South Dakota. I followed the reading of the proposed substitute from the desk. In the middle of page 36 there are only three words that are stricken out. If the gentleman, instead of considering the entire matter, will consider it paragraph by paragraph, I think we can understand it.

Mr. MOON of Tennessee. If the gentleman will listen I will explain it. I can not fully do it by having questions asked.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection the amendment will be again reported.

Mr. DYER. Reserving the right to object—

The CHAIRMAN. The gentleman can not reserve the right to object.

Mr. DYER. I want to ask the gentleman how long it will take to explain it.

Mr. ADAMSON. Mr. Chairman, I ask unanimous consent that we all keep quiet and listen to the Clerk.

The amendment was again reported.

Mr. MOON of Tennessee. Mr. Chairman, if it is desired I will explain this section for a moment without further inter-rogatory. On the twenty-fourth line we want to strike out the

words "except as herein provided." It is not necessary to continue these words in this amendment. We have enlarged the question of transportation on rural routes from one route, which it is limited to in this bill, to any number of routes from the initial point, so the matter is carried exclusively over rural routes. The rate is changed from 25 cents for 11 pounds to 15 cents for 11 pounds, and the other provision is that the Postmaster General in making rules and regulations for carrying out the provisions of this act shall provide for transportation of products of the farm and factories as merchandise matter of the fourth class which is not perishable in transportation.

Mr. RAKER. Will the gentleman yield?

Mr. MOON of Tennessee. I can not yield any more now. The second section provides simply this: It will be remembered in the House that we created a commission of six persons, three to be appointed by the Speaker and three by the President. This is changed to a committee instead of a commission, and instead of having the subject of the inquiry limited to the general parcel-post proposition, it is extended to the express post also, and they are required to report upon testimony that has already been made upon both of those subjects and to take such other testimony as they may desire and report on the first Monday in December. Our idea was this, that we could establish now the parcel-post proposition upon the rural districts, as provided in the substitute, without loss of revenue to the Government, because all of the machinery is in force to carry it out, and it is an experiment for the term of two years. But in the other question, for the various reasons assigned in the report, it seems to be evident to gentlemen who have heard the discussion upon this floor that it would not be wise to undertake to establish a general parcel post nor an express post in this country without more information on the question.

Mr. MARTIN of South Dakota. Mr. Chairman, I ask for order. We can not hear the gentleman here, and it is a very important subject.

The CHAIRMAN. The committee will be in order.

Mr. MOON of Tennessee. Mr. Chairman, the purpose of the committee, as I was about to remark when interrupted, was to secure information as to the wisdom of establishing in this country a parcel post or an express post. It seems to be evident to gentlemen from this debate that while we can establish a rural parcel post upon the line of the substitute without danger to our revenue, that you can not establish a general parcel post now for the want of knowledge as to how your revenues will be affected by its establishment; and certainly the establishment of an express post leading to the committing to the mails of the United States matter to the extent of 100 pounds would be a very dangerous experiment without a report from a commission, so in order to cover the whole question of parcel post in its general character and the express post, we deemed it wise to have a committee make an inquiry into the subject. Let the committee determine what effect it will have upon our revenues, what additional officeholders we must have, what additional machinery we must have, what effect it has as to concentration of trade, what effect it will have upon the rural districts, and the various number of questions that enter into the discussion of a matter of this sort. It is a matter of too great importance for this House to act upon without clearly seeing the wisdom and the sense of the policy we are to pursue. Now, in regard to the rural matter, I think it is safe so far as revenues are concerned, with the reduction in the amount we have placed in the substitute, to say that the revenues coming to the Government of the United States supplementing the deficiency in the rural routes would probably be five or six million dollars under this section per annum; but under the other proposition, a proposition for a general parcel post, in view of the fact that the express companies in the United States get a rate of three-quarters of a cent a pound, and the Government for the handling of transportation must pay from 6 to 8 cents, makes it impossible to compete with them on equal terms.

If you can not enter upon competition under the present state of the law, it would seem wise for this commission to inquire and for the House to act and force the railroad company now, if you want to carry out this policy, to give to the Government the same rate that is given to express companies. We must do all we can to secure speedily a wise parcel-post system for all the people without detriment to any class. Of course, I take it that no gentleman desires seriously to consider the question of paying \$40,000,000 to the express companies for their holdings, nor do you desire to undertake the confiscation of their property or their contracts. The governmental right to enter into or upon this business exists under the Constitution. Whether it is wise to go into it to the extent some gentlemen insist I do not know. I think none of us will know until we have heard

from a commission that can report the facts to this House, and then we will have an intelligent opinion on a question which, if you go into uninformed and blindly now, will put the Treasury to a loss of some \$50,000,000 annually. If we proceed cautiously and with full knowledge, we can accommodate the people and protect the Treasury, too.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. Moon] has expired.

Mr. SAMUEL W. SMITH. Will the gentleman from Tennessee yield to a question?

Mr. MOON of Tennessee. My time has expired.

Mr. FOSTER. I ask unanimous consent that the gentleman from Tennessee [Mr. Moon] may have 10 minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Tennessee may have 10 minutes more. Is there objection?

Mr. RAKER. Reserving the right to object—

The CHAIRMAN. Is there objection?

Mr. FOSTER. Mr. Chairman, I withdraw the request.

Mr. MOON of Tennessee. I decline to discuss the question further.

Mr. RAKER. I withdraw my objection, Mr. Chairman.

Mr. LEWIS. Mr. Chairman, I offer the following amendment to the substitute offered by the gentleman from Tennessee [Mr. Moon].

Mr. STEENERSON. Mr. Chairman—

The CHAIRMAN. The gentleman from Maryland [Mr. Lewis] offers an amendment to the substitute, which the Clerk will report.

The Clerk read as follows:

Amend the substitute:

"That there is hereby constituted a joint committee consisting of three Members of the House to be appointed by the Speaker and three Members of the Senate to be appointed by the Vice President; that all bills on the subject of parcel post or postal express shall be referred to said committee, and that said joint committee shall prepare and report to both Houses of Congress on or before the first Monday in December, 1912, a bill providing for such legislation that said joint committee shall deem proper."

Mr. LEWIS. Mr. Chairman, by the way of explanation of the amendment offered, I know how serious and sincere most of the membership of this House is with regard to securing a proper solution of the transport of the small package. I do not pretend to be more sincere or serious than any other Member of this House. It must be manifest, however, to all thoughtful men here that since this is the first time in the history of Congress the subject has received any discussion whatever, and since many forms in the way of remedy have been presented here, there is some danger of error being committed by the hasty action which would be absolutely necessary under the five-minute rule in the situation in which we find ourselves. Nobody is more concerned as to his ideals and his method of treating the subject than I am at this moment, and yet I feel the subject, the country, and the convictions of the membership of this House are all of an order of importance that requires that a little more thought and time be given the subject.

My amendment, therefore, proposes that the whole of section 8 go out, that in its place a committee having the confidence of this House be appointed by the Speaker and a like committee by the Senate under the mandate to report a bill on this subject the first Monday in December.

Mr. MOON of Tennessee. Does the gentleman desire to have the rural-route proposition postponed at all?

Mr. LEWIS. I am not particularly concerned about the rural route, but I believe this is an entire subject, and it would be best for the subject and for the House and for the country that it be taken up as such.

Mr. LENROOT. Will the gentleman yield?

Mr. LEWIS. I do not yield. I rise only to make a statement. Now, Mr. Chairman, this is a momentous occasion to the American people. For 40 years they have been waiting upon this Congress to give the subject of the small package proper attention. It has failed to even hear their clamors up to this moment. If it listens now, I know it will give them a stone instead of bread, although I know it wishes to do its patriotic duty at the same time. In my judgment—and, I believe, a judgment as well informed on this subject as it possibly might be—the best thing we can do with this topic is to give a committee an opportunity to examine the subject matter under a mandate to report a bill on the first Monday in December. [Applause.]

Mr. SULZER and Mr. FINLEY rose.

The CHAIRMAN. The Chair will recognize the gentleman from New York [Mr. Sulzer].

Mr. SULZER. Mr. Chairman, I offer the following amendment to section 8 of the bill and ask to have it read.

The CHAIRMAN. I understand the gentleman offers an amendment to section 8?

Mr. SULZER. Yes; to section 8.

The CHAIRMAN. The Clerk will read.

Mr. SULZER. Strike out all after the first word of section 8 and insert the amendment I now offer.

Mr. MANN. Does the gentleman offer the amendment or ask to have it read in his time?

Mr. SULZER. It is in the nature of a substitute.

The CHAIRMAN. Then the gentleman can not offer it. There is already one amendment pending to the substitute, and there can be only one.

Mr. SULZER. It is offered as an amendment to the original section—that is, section 8. To strike out and insert.

The CHAIRMAN. And insert the following?

Mr. SULZER. Yes; and insert the following.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. FOSTER having taken the chair as Speaker pro tempore, a message in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On April 27, 1912:

H. R. 16101. An act providing for patents to homesteads on the ceded portion of the Wind River Reservation in Wyoming;

H. R. 19863. An act authorizing the Secretary of the Interior to subdivide and extend the deferred payments of settlers in the Kiowa-Comanche and Apache ceded lands in Oklahoma;

H. R. 20286. An act authorizing the fiscal court of Pike County, Ky., to construct a bridge across Russell Fork of Big Sandy River;

H. R. 21170. An act granting to El Paso & Southwestern Railroad Co., a corporation organized and existing under the laws of the Territory and State of Arizona, a right of way through the Fort Huachuca Military Reservation, in the State of Arizona, and authorizing said corporation and its successors or assigns to construct and operate a railway through said Fort Huachuca Military Reservation, and for other purposes;

H. R. 21960. An act to authorize the Port Arthur Pleasure Pier Co. to construct a bridge across the Sabine-Neches Canal, in front of the town of Port Arthur; and

H. R. 22642. An act providing for the protection of the interests of the United States in lands and waters comprising any part of the Potomac River, the Anacostia River or Eastern Branch, and Rock Creek, and lands adjacent thereto.

On April 30, 1912:

H. R. 8784. An act to supplement the act of June 22, 1910, entitled "An act to provide for agricultural entries on coal lands";

H. R. 1647. An act to amend an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes";

H. R. 18792. An act for the relief of homestead entrymen under the reclamation projects in the United States;

H. R. 19212. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1913; and

H. R. 20491. An act authorizing the Secretary of the Interior to grant further extension of time within which to make proof on desert-land entries.

POST OFFICE APPROPRIATION BILL.

The committee resumed its session.

The Clerk will read the amendment offered by the gentleman from New York [Mr. SULZER].

The Clerk read as follows:

The common weight limit of the domestic postal service of the United States is hereby increased to 11 pounds, the common limit of the Universal Postal Union, and that in the general business of the post office the 1-cent-an-ounce rate on general merchandise—fourth-class mail matter—be, and is hereby, reduced to the third-class rate, 1 cent for each 2 ounces or fraction thereof.

That the rate on local letters or sealed parcels posted for delivery within the free-delivery services is hereby determined at 2 cents on parcels up to 4 ounces, 1 cent on each additional 2 ounces; at non-delivery offices, 1 cent for each 2 ounces.

That all mail matter collected and delivered within the different rural routes of the United States is hereby determined to be in one class, with rates, door to door, between the different houses and places of business and the post office or post offices on each route, as follows: On parcels up to one twenty-fourth of a cubic foot, or 1 by 6 by 12 inches in dimensions and up to 1 pound in weight, 1 cent; on larger parcels up to one-half a cubic foot, or 6 by 12 by 12 inches in dimensions and up to 11 pounds in weight, 5 cents; on larger parcels up to 1 cubic foot, 6 by 12 by 24 inches in dimensions and up to 25 pounds in weight, 10 cents. No parcel shall be over 6 feet in length, and in no case shall a carrier be obliged to transport a load of over 500 pounds.

That on all unregistered prepaid mail matter without declared value an indemnity up to \$10 shall be paid by the Post Office Department for

such actual loss or damage as may occur through the fault of the postal service, and this without extra charge. Certificates of posting shall be provided on demand. On registered parcels of declared value, and on which the fee for registration, insurance, and postage has been duly prepaid, the Post Office Department shall pay the full value of any direct loss or damage that may occur through the fault of the postal service. The fees for insurance and registration shall be as follows: For registration and insurance up to \$50, 10 cents; for each additional \$50, 2 cents. No claim for compensation will be admitted if not presented within one year after the parcel is posted.

That the word "packet" wherever used in laws relating to the postal service means all matter of every class which is by law made mailable.

Mr. MOON of Tennessee. Mr. Chairman, I make the point of order that that is a substitute in the third degree, and is not in order.

The CHAIRMAN. The gentleman has offered it as a substitute for section 8 of the bill.

Mr. MOON of Tennessee. I understood the gentleman to say that he was offering it as a substitute.

Mr. SULZER. Mr. Chairman, the amendment offered by me provides for a general parcel post. It is similar to the law in every civilized country on the earth. It increases the weight of the package from 4 pounds to 11 pounds. It reduces the price from 16 cents a pound to 8 cents a pound, the cost per pound prior to 1879. If my amendment is adopted, we will have in the United States a general parcel post, with a weight limit of 11 pounds, at a cost of 8 cents per pound.

Just think of it. A person living in any part of Europe can send to any part of the United States by mail a parcel weighing two and one-half times more than the United States limit for about one-third less in cost than the present home rates. In other words, the world postal-union package unit is 11 pounds to the parcel, at the rate of 12 cents per pound, whereas the United States unit is only 4 pounds to the package and at a cost of 16 cents to the pound. The parcel rate in the United States prior to 1879 was 8 cents per pound for a package limited to a weight of 4 pounds. After that the rate was doubled, but the weight remained the same. Since 1879 the cost of transportation has greatly decreased. The question is, Why should not the people be given the benefit of this decrease by the establishment of a uniform low postal rate for parcels that will encourage the use of the post office as a medium of exchange of commodities and thus greatly facilitate trade?

Mr. MARTIN of South Dakota. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from South Dakota?

Mr. SULZER. I regret I can not. I have only a few moments.

The gentleman from Maryland [Mr. LEWIS] has said this is an important matter. So it is, a very important matter to the people of this country. For years they have asked for this general parcel-post legislation. I differ with the gentleman when he asks us now to postpone this legislation until next year. I want to give the people a general parcel post this year. [Applause.] The express companies have had their way long enough. [Applause.]

My bill for a general parcel post—identical with the amendment I have just offered—has been pending in Congress for several years. I want no credit for being its author. I want results. Mr. Bennet, a former Republican Congressman from New York, introduced a similar bill in the last Congress. Slightly changed, I introduced it in this Congress. There is no politics in it. It is nonpartisan. There is no sectionalism in it. The people want it. It is a general parcel-post bill, and every Member who is in favor of giving the people what they want should vote for this amendment.

This amendment is what the people want now. It raises the weight limit of the package from 4 pounds to 11 pounds, and reduces the postage on the parcel from 16 cents a pound to 8 cents a pound, and that was the postal rate for many years until the express companies doubled it in 1879.

This amendment is what the farmers want, what their Representatives come to Congress and asked for. This amendment is what the business people of the country want. They sent their representatives here, and asked for it through the Post Office Committee. This amendment is what the consumers want. Over ten millions of American taxpayers have sent representatives here pleading for this general parcel-post legislation. Why longer delay? For one, I am opposed to further delay. I am in favor of giving the people now a general parcel-post law, as provided in my amendment. [Applause.]

I am opposed to any more commissions to delay the matter. We have had committee after committee investigating this subject. Commission after commission has come and gone—and nothing is done. They have taken testimony mountains high. I have read a great deal of it, and everyone familiar with the proposition has recommended a general parcel post—not a lim-

ited parcel post such as the gentleman from Tennessee [Mr. Moon] would now give us, which would let the boy go to school, but would prevent him from coming home again—but a genuine general parcel post.

Mr. MOON of Tennessee. Will the gentleman say when was that commission?

Mr. SULZER. I can not yield. I want to give the people a general parcel post that will let the producer send his merchandise to the consumer; that will let the consumer send his manufactured product to the farmers; that will bring them closer together in trade and commerce, and cheapen the cost of the necessities of life. I want a general parcel post that will work both ways. The parcel post proposed by the gentleman from Tennessee works only one way. That will not do much good. It is little better than what we have to-day. The people will not be satisfied with such a pretense, with such a mere makeshift, with such a mockery.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SULZER. Mr. Chairman, I ask unanimous consent to proceed for a few minutes more.

Mr. SIMS. Ask for five minutes. I want to ask you about the rural features of your amendment.

The CHAIRMAN. The gentleman from New York [Mr. Sulzer] asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. SULZER. Mr. Chairman, my amendment allows packages up to 11 pounds to go through the mails throughout the United States for 8 cents a pound—

Mr. SIMS. Originating on or delivered on rural routes? How is it?

Mr. SULZER. The amendment is clear and explicit. It provides that packages weighing not more than 11 pounds can go over all postal routes from one part of the country to the other for 8 cents a pound. There is no reason in the world why the people of the United States should be deprived of the advantages of this benign legislation for a general parcel post, that will bring producers and consumers in closer touch and be of inestimable benefit to all the people, especially those who dwell in the large cities and live in the producing sections of the country. It has been adopted in every European country, and it ought to be adopted here. We have made postal conventions with the countries of the world by which their citizens can send through the mails to any part of the United States packages weighing 11 pounds at the universal postal rate, and the people of the United States are prohibited from doing the same thing in their own country because of our failure to enact a similar postal parcel law. It is a great injustice to the taxpayers of this country. It is a discrimination in favor of the foreigner against the citizen of the United States which is repugnant to my sense of justice. I am opposed to this inequality. I want to obviate it. The Postal Progress League has endorsed my plan, and, as I have stated, the representatives of over 10,000,000 taxpayers of this country appeared before the committee and urged its enactment. Why should it not be enacted into law?

The time is now at hand for Congress to heed the insistent demand of the people for a general parcel post along the lines of my amendment—the express companies, the middlemen, and others to the contrary notwithstanding.

Just a few words more. I want to do all I can to reduce the cost of the necessities of life to the consumer. That is a great live question to-day in every home in America, and one of the best ways, in my opinion, to solve the problem and reduce the cost of the necessities of life is to bring the producer and the consumer closer together, and nothing will have a tendency to do that more than this agency of a general parcel post. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FINLEY rose.

The CHAIRMAN. The gentleman from South Carolina [Mr. Finley] is recognized.

Mr. STEENERSON. Mr. Chairman, I have an amendment to offer to that amendment.

The CHAIRMAN. The gentleman from South Carolina [Mr. Finley], a member of the committee, has the floor.

Mr. STEENERSON. I will say to the Chairman that I have been a member of the Committee on the Post Office and Post Roads, and I have been trying to get recognition for the last half hour.

Mr. FINLEY. I am perfectly willing to give way to the gentleman from Minnesota.

The CHAIRMAN. The gentleman from Minnesota is out of order.

Mr. FINLEY. Mr. Chairman, the proposition that is offered here by the gentleman from Maryland [Mr. Lewis] strikes out the proposed parcel-post on rural routes. I take it that no one here seriously wishes to do that. We have the machinery. As has been stated repeatedly, we have the rural carriers with their equipment, and we have fixed a low rate in the amendment offered by the gentleman from Tennessee [Mr. Moon], the chairman of the Post Office Committee.

Mr. LEWIS. Will the gentleman yield?

Mr. FINLEY. Certainly.

Mr. LEWIS. I am frank to say, so far as I am concerned, that if the substitute is confined to the rural routes and the appointment of a committee of three of the House and three of the Senate, I believe that would be a very wise disposition of the subject at this time; but when you go into the flat rate, 12-cent proposition, I disagree with you.

Mr. FINLEY. I think there is no question about the wisdom of the parcel post on rural routes as we have provided it here.

The gentleman from New York [Mr. Sulzer] offers a flat rate of 8 cents a pound. I ask the membership of this House, Are you ready to vote for that offhand? Are you prepared? Have you the information? In thousands of instances the rate would be entirely too high, and in some others it might be too low. I do not know about that. But here is a proposition to investigate this matter by a joint committee of the House and Senate, the same thing as a commission, and to bring to Congress accurate information. Now, what is the harm of waiting until next December to take up the question of a general parcel post or an express or railway post? We are not in such a hurry about it that the first time the proposition is presented in this House we must fall over ourselves before we are informed, before we know.

To my mind, a flat rate is indefensible. It is not worth 8 cents a pound to transport a package a pound in weight 2, 3, 5, 10, 50, or 100 miles, or even farther. The proposition offered here by the chairman of the Post Office Committee is eminently wise. It is carefully considered. The rights of the people are amply protected. I hope the amendment of the gentleman from New York [Mr. Sulzer] will be voted down. It should be voted down. [Applause.]

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

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

The Clerk read as follows:

Add at the end of the amendment:

"That the Postmaster General is authorized and directed to require companies operating railroads by steam, electricity, or other motive power carrying the mails to furnish under oath and seal, not less frequently than once in each fiscal year, such information relating to the service, operation, receipts, and expenditures of such roads for a period of not less than 30 days, to be designated by him, as may in his judgment be deemed necessary to enable him to ascertain the cost to the companies of carrying the mails on their respective roads and the proper compensation to be paid for that service. He shall require of such companies to submit such information not later than March 1, 1913, and in each fiscal year thereafter at such times and for such periods as he shall prescribe. It shall be the duty of such railroad companies to furnish such information, and if any railroad company fails or refuses to do so when required, its compensation for service rendered thereafter until such company shall comply and an adjustment is made by the Postmaster General shall be forfeited to the United States and shall be withheld as liquidated damages.

"Sec. 2. That if any officer, agent, or employee of a railroad company shall knowingly furnish any information required under the provisions of this act that is false and fraudulent, he shall be fined not more than \$20,000 and imprisoned not more than five years.

"Sec. 3. That the Postmaster General shall determine the cost to each railroad company of carrying the mails on its respective road or roads, and shall verify and state the result in such form and manner as he shall deem proper. For this purpose he is authorized to credit, assign, and apportion the revenues and expenses of railroad companies so reported in such manner as he shall deem fair and equitable and in his judgment necessary to ascertain the cost as near as practicable, a statement of which shall be given the company concerned. If any railroad company shall object to the method of crediting, assigning, and apportioning the revenues and expenses, it may file objection with the Postmaster General within 20 days after such statement is made to the company, and the Postmaster General shall thereupon certify the method and objection and such papers as in his judgment may be essential to an understanding of the method to the Interstate Commerce Commission, who shall review the finding of the Postmaster General and affirm, modify, or revise the same, and certify the result to the Postmaster General, which action thereon shall be final."

Mr. MOON of Tennessee. Mr. Chairman, if it be in order before the completion of the reading of that amendment, I make the point of order that it is not in order.

Mr. STEENERSON. Perhaps it would be in order on the gentleman's substitute. If so, I will withdraw it for the present, and offer it as an amendment to the substitute.

The CHAIRMAN. The Chair understands the amendment to be for the purpose of having the Postmaster General ascertain about the weighing of the mails carried on railroads.

Mr. STEENERSON. It is a readjustment or a new plan, a new basis of railway mail pay. The Post Office Department has

been at work at it for three years—since 1909. It is a substitute for the present payment by weight. It substitutes a different system.

The CHAIRMAN. The Chair will ask the gentleman from Minnesota upon what theory he thinks that is germane to an amendment dealing with a parcel post?

Mr. STEENERSON. Because the amendment of the gentleman from New York [Mr. SULZER] provides for carrying heavy-weight packages at a very low rate which would enormously increase the railway mail pay because the railroads are paid by weight. And in order to escape the loss of hundreds of millions of dollars we would have to substitute a new method of paying for the carriage of the mails on railways. That makes it germane to the proposition. It proposes a new provision of law governing the carriage of freight by mail. Therefore you ought to substitute a new system of paying the railways for carrying that freight. You can not, without enormous loss, carry under the present system of computing railway pay. That is the reason it is germane to the proposition of the gentleman from New York, as I contend.

The CHAIRMAN. The Chair sustains the point of order.

Mr. ANDERSON of Minnesota. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

Mr. TOWNER. Mr. Chairman, before the amendment is reported I wish to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TOWNER. I do not understand that the amendment of the gentleman from New York is pending before the House. I understand that the pending amendment is the amendment offered by the gentleman from Maryland [Mr. LEWIS].

The CHAIRMAN. The Chair will state to the gentleman from Iowa that the gentleman from New York offered an amendment to the text of the bill, which is pending. Now, the gentleman from Minnesota [Mr. ANDERSON] moves to amend that amendment, which he has a right to do. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the word "the" in the Sulzer amendment and insert the following: "Rates of postage on mail matter of the fourth class shall be as follows:

"(a) On articles, packages, or parcels mailed at the distributing post office of any rural route for delivery to patrons of such route, or of loop routes connected therewith, or at any intermediate post offices supplied by such rural service, or mailed at any rural route or by any post office supplied thereby for delivery on said route, or any other route served by the distributing post office of said route, or any other post office served thereby, or for delivery at the distributing post office: One cent for each 2 ounces or fraction thereof up to and including 4 ounces, 1 cent for each additional 4 ounces or fraction thereof up to and including 1 pound, and 1 cent per pound for each additional pound or fraction thereof up to and including 11 pounds in weight: *Provided*, That no rural mail carrier shall be required to accept for delivery on any one trip fourth-class mail matter in excess of 200 pounds in weight: *Provided further*, That one-half of the receipts for this service on any rural route shall be paid to the rural carrier of said route in addition to his salary, but the amount of such receipts so paid shall in no case exceed the sum of \$800 per annum.

"(b) On articles, packages, or parcels mailed at any post office having a city-delivery service, or at any branch thereof, to be delivered by carrier within the delivery limits of said post office: One cent for each 2 ounces or fraction thereof up to and including 4 ounces, 3 cents for each 4 ounces or fraction thereof up to and including 1 pound, 2 cents for each additional pound or fraction thereof up to and including 5 pounds, and 1 cent for each additional pound or fraction thereof up to and including 11 pounds: *Provided*, That no carrier shall be required to accept for delivery a load of more than 50 pounds in the aggregate on a single trip, nor any article, parcel, or package exceeding 5 pounds in weight: *And provided further*, That the Postmaster General is hereby authorized to establish a wagon collect-and-delivery system in any such city where the amount of traffic warrants the same.

"(c) On articles, packages, or parcels mailed at any post office, or on any rural route served by it, or on any loop route connected therewith, or at any intermediate post office supplied by said rural service, directed to another post office not more than 50 miles' distant from it in a direct line: One cent for the first ounce or fraction thereof, 1 cent for each additional 2 ounces or fraction thereof up to and including 7 ounces, 1 cent for each additional 3 ounces or fraction thereof up to and including 1 pound, and 2 cents for each additional pound or fraction thereof up to and including 11 pounds in weight.

"(d) On articles, packages, or parcels mailed at any post office, or on any rural route served by it, or on any loop route connected therewith, or at any intermediate post office supplied by said rural service, directed to another post office more than 50 miles but not more than 200 miles' distant from it in a direct line: One cent for each ounce or fraction thereof up to and including 2 ounces, 1 cent for each 2 ounces or fraction thereof up to and including 10 ounces, 1 cent for each additional 3 ounces or fraction thereof up to and including 1 pound, and 3 cents for each additional pound or fraction thereof up to and including 11 pounds in weight.

"(e) On articles, packages, or parcels mailed at any post office, or on any rural route served by it, or on any loop route connected therewith, or at any intermediate post office supplied by said rural service, directed to another post office more than 200 miles but not more than 1,000 miles' distant from it in a direct line: One cent for each ounce or fraction thereof up to and including 4 ounces, 1 cent for each additional 2 ounces or fraction thereof up to and including 24 ounces, 1 cent for each additional 4 ounces or fraction thereof up to and including 2 pounds, and 6 cents for each additional pound or fraction thereof up to and including 11 pounds in weight.

"(f) On articles, packages, or parcels mailed at any post office, or on any rural route served by it, or on any loop route connected there-

with, or at any intermediate post office more than 1,000 miles but not more than 1,800 miles distant from it in a direct line: One cent for each ounce or fraction thereof up to and including 4 ounces, 2 cents for each additional 3 ounces or fraction thereof up to and including 22 ounces, 1 cent for each additional 2 ounces or fraction thereof up to and including 2 pounds, and 9 cents for each additional pound or fraction thereof up to and including 11 pounds in weight.

"(g) On articles, packages, or parcels mailed at any post office, or on any rural route served by it, or on any loop route connected therewith, or at any intermediate post office supplied by said rural service, directed to another post office more than 1,800 miles distant from it in a direct line: One cent for each ounce or fraction thereof up to and including 8 ounces, 1 cent for each 2 ounces or fraction thereof up to and including 16 ounces, 3 cents for each additional 4 ounces or fraction thereof up to and including 2 pounds, and 12 cents per pound for each additional pound or fraction thereof up to and including 11 pounds in weight.

"Whenever a special rate has been established by law for any article or class of articles included in mail matter of the fourth class, so much of said law as establishes said special rate is hereby repealed, and hereafter such article or class of articles shall be subject to the rates of postage herein provided.

"The Postmaster General is hereby authorized to determine the maximum amount which any mail carrier or contractor shall be required to transport on any one trip on a star route.

"The rates herein provided shall be the rates for the service and distances specified and shall remain in effect until otherwise ordered by the Interstate Commerce Commission, which is hereby empowered and directed to forthwith make an investigation of the rates herein provided other than in paragraphs (a) and (b) hereof to determine whether the same are reasonable. If any of the rates shall be found to be unreasonable, the Interstate Commerce Commission shall fix new rates, which shall be based upon the amount of service to be rendered, considering distance transported and other service elements and risk involved therein, making the charges adequate to pay the cost of the service. Whenever the said Interstate Commerce Commission shall determine upon a different rate than is herein provided it shall forthwith make an order to that effect and file the same with the Postmaster General, and thereafter said rate so found by the Interstate Commerce Commission shall be effective and take the place of those herein provided for.

"For the purpose of administering the rates and service herein provided, the Postmaster General is hereby authorized and directed to make such rules and regulations as may be necessary and to provide maps or books from which the rates from one post office to another may be easily determined.

"Sec. 8. That this act shall take effect on the 1st day of October, 1912."

Mr. ANDERSON of Minnesota. Mr. Chairman, before I proceed I ask unanimous consent to change section 2 so that it will read, "this section shall take effect on the 1st of October, 1912," and to strike out the words "section 2."

Mr. Chairman, the present demand for cheaper and better facilities for the transmission of parcels through the mails is a development of 40 years. It is the result of 40 years of extortion on the part of the express companies. It is the crystallization of 40 years of agitation. It ought to be heeded not a year from now, but now. [Applause.] The parcel-post provisions in the Post Office appropriation bill as it was first presented was a gold brick with the gilt worn off. The present proposition of the committee as a substitute for the original proposition rehabilitates that provision by adding a little gilt to it, but everybody admits that the provision does not come anywhere near presenting reasonable parcel-post legislation.

This morning's Post contained an article which I want to present to the committee this evening. It is as follows:

Senator JONATHAN BOURNE, Jr., chairman of the Post Office Committee, yesterday introduced a parcel-post bill which is the product of several months of thorough investigation and study. The bill provides the lowest rates thus far suggested, but the department is satisfied these rates will yield a small profit and the system will be self-sustaining.

The Bourne bill provides a zone system, with rates varying according to distance, which Senator BOURNE believes will enable the Government to compete successfully with express companies in hauling packages up to the weight limit of 11 pounds which this bill provides.

The rate for city or rural delivery is 5 cents for the first pound and 1 cent for each additional pound, or 15 cents for an 11-pound package. Other rates are: Fifty-mile zone, 6 cents for first pound and 2 cents for each additional pound; 200-mile zone, 7 cents for the first pound and 3 cents for each additional pound; 500-mile zone, 8 cents for first pound and 4 cents for each additional pound; 1,000-mile zone, 9 cents for the first pound and 5 cents for each additional pound; 2,000-mile zone, 12 cents for the first pound and 10 cents for each additional pound; more than 2,000 miles, including island possessions, 12 cents for the first pound and 12 cents for each additional pound.

CONSOLIDATES TWO CLASSES.

The third and fourth classes of mail are consolidated, but provides for mailing circulars and small parcels at 1 cent per ounce up to 4 ounces.

The zone system was devised by John H. Robinson, who has copyrighted the plan and presented it to the Government. Under this plan any postmaster or patron can determine in a moment the amount of postage due on any package for any distance.

Senator BOURNE's bill provides for six zones, where my bill provides for five zones. The rates which he provides and the rates which I provide for the same distances are so near in accord that the difference can only be expressed by the fraction of a cent. I submit that when two men, working independently on the same proposition, a proposition involving computation of rates and a great many service elements and elements of cost, arrive at a conclusion so substantially concurrent that the difference can only be expressed by the fraction of a cent, that it is reasonable to conclude that the result and the rates arrived at are correct.

The rate provided by Senator BOURNE for the 50 and 200 mile zones are one-tenth of a cent less than the rates I provide. For the 1,000-mile zone it is slightly less than a cent a pound less than the rate that I provide.

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

Mr. ANDERSON of Minnesota. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. CANNON. Mr. Chairman, I desire to ask the gentleman from Tennessee how much longer he proposes to continue to-night.

Mr. MOON of Tennessee. There are only a few pages of this bill left, and I think we can complete it to-night.

Mr. CANNON. What does the gentleman propose about debate?

Mr. MOON of Tennessee. I propose to close debate on this question very soon.

Mr. CANNON. How soon?

Mr. MOON of Tennessee. Within 15 or 20 minutes. I want to say to the gentleman from Illinois and to the House that I think we can conclude this bill very soon after we vote down the proposition of the gentleman from Minnesota. [Laughter.]

Mr. CANNON. But the gentleman from Minnesota asked an extension of the time for 10 minutes.

Mr. MOON of Tennessee. And we are going to give it to him, and then I am going to ask the House for unanimous consent to withdraw or strike from the substitute the first three lines, and then the gentleman from Maryland will withdraw his proposition, and we will take a vote on the substitute I have offered.

Mr. CANNON. I have no objection to that.

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on the motion of the gentleman from Minnesota close in 10 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee, to close debate in 10 minutes.

Mr. LENROOT. Mr. Chairman, before insisting upon that motion, will the gentleman from Tennessee yield for a question?

Mr. MOON of Tennessee. Yes.

Mr. LENROOT. Does the gentleman think that that is fair treatment of this House, to close debate in 10 minutes upon such an important proposition as this?

Mr. MOON of Tennessee. I think when the gentleman from Minnesota has concluded his remarks, and nobody desires to reply to him, that it is fair treatment.

Mr. LENROOT. I should like to have an opportunity of being heard.

Mr. MOON of Tennessee. Very well, the gentleman will have that opportunity. Mr. Chairman, I move that debate on the amendment of the gentleman from Minnesota close in 10 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee.

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

Mr. MANN. Mr. Chairman, can we not reach some agreement as to when we shall vote on all propositions, and then have every one pending?

Mr. MOON of Tennessee. Mr. Chairman, I think we can as soon as the gentleman from Minnesota has concluded.

Mr. ANDERSON of Minnesota. Mr. Chairman, as I was saying, the difference between the rate that I provide and the rate that the distinguished Senator from Oregon provides amounts to from one-tenth of a cent to 1 cent per pound on a 10-pound package. I want to say to gentlemen on the Democratic side of the aisle that I am offering them an opportunity to vote for a real parcel post. I want to say to them that if they overlook that opportunity, they will probably have an opportunity to vote for another one coming from the Senate after awhile. I do not believe, if you determine to make this a partisan question, that you can afford to overlook this opportunity.

It is said that no one has studied this question. Let me say to you that it has been debated in every red schoolhouse in the country. It has been debated in every country store in the country, and whether you know anything about it or not the people of the country know something about it and they will pass judgment upon you, whether you know anything about it or not.

The gentleman from Maryland [Mr. LEWIS] suggested that this was a momentous occasion, and I agree with him, for upon the vote of this measure will depend a great many of the seats in this body. There is no question that I know of upon which the sentiment of the country has crystallized as it has crystallized upon this. It is not a partisan question. It is a question in which every man, Democrat, Republican, or Prohi-

bitionist, is interested. I hope that gentlemen will vote for this amendment. I hope they will give the people of the country the relief that they have been asking for 40 years.

Mr. Chairman, there is involved in this matter the question of fairness to the country merchant and the farmer. A flat-rate proposition is absolutely unfair to both, for it amounts to a subsidy for the long haul and an overcharge for the short haul. This amendment that I offer provides for rates which will give the local merchant an advantage in his own market. It protects him in that it would require the merchant at a distance to pay from two to nine times as much to get his goods to the farmer with whom the local merchant deals. That is worth considering in connection with this question.

Mr. MARTIN of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Minnesota. Yes.

Mr. MARTIN of South Dakota. How does the gentleman's rates in the amendment that he proposes compare with the express rates, for, say, a 200-mile distance? I have looked at the table which the gentleman provides, and it would indicate that on an 11-pound package from 50 to 200 miles his proposed rate would be 38 cents. Is that correct?

Mr. ANDERSON of Minnesota. The gentleman is correct, but the express rate would be 45 or 50 cents.

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

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Have we an opportunity now to offer amendments with regard to rates, an amendment having been offered to an amendment, and that amendment to a substitute, as I understand it?

The CHAIRMAN. No amendment is now in order until some amendment is disposed of. There are four amendments now pending, and no more can be offered at this time.

Mr. MOORE of Pennsylvania. Will the gentleman from Tennessee having the floor permit me to ask him a question before he proceeds? I understood him to say a moment ago that he proposed to withdraw lines 1, 2, and 3 of section 8.

Mr. SABATH. Of the substitute.

Mr. MOORE of Pennsylvania. Those lines fix a rate of 12 cents a pound.

Mr. MOON of Tennessee. Yes. I propose, when I have the opportunity a little later on, to ask unanimous consent to strike from my substitute those first three lines.

Mr. MOORE of Pennsylvania. Then, for the present that would eliminate any further discussion with regard to the 12 cents a pound rate in the cities and 5 cents in the country.

Mr. MOON of Tennessee. That would eliminate that discussion, and also will eliminate the propositions of the gentleman from Maryland and the gentleman from Ohio.

Mr. MANN. Mr. Chairman, a parliamentary inquiry. Is there five minutes' time still remaining of the time for debate?

The CHAIRMAN. There is.

Mr. LENROOT. Mr. Chairman, I rise to support the amendment proposed by the gentleman from Minnesota and to oppose the amendment proposed by the gentleman from New York [Mr. SULZER]. Now, Mr. Chairman, during all of my political experience it has been my observation that when a political party wants to dodge an important question the thing they do is to recommend a committee or a commission with power to investigate and report following the election next to ensue. [Applause.] Now, Mr. Chairman, I do not charge the gentleman from Maryland with any such intention in this regard, but I do say, Mr. Chairman, there is no excuse on the part of any Member of this House who is in favor of a parcel post for voting against this amendment proposed by the gentleman from Minnesota.

Mr. LEWIS. Will the gentleman yield?

Mr. LENROOT. I have not the time, as I have only five minutes. I have talked with the gentleman from Maryland [Mr. LEWIS]. I have talked with gentlemen upon the other side of the aisle with reference to this amendment now pending, and the only objection I have heard to it is that the rates are too high. Perhaps they may be too high, Mr. Chairman, but no one can gainsay the fact that they are very much lower than the present rate, and if they should go into this bill it would afford relief to the people of this country, at the same time protecting the country merchant, and if this amendment is adopted the gentleman from Maryland, if he chooses, can afterwards offer an amendment for a commission to investigate and report upon the bill later on. But in the meantime, if he wants to furnish real relief to the people of this country, he can vote for this amendment, that is a real parcel post, with a zone system pay-

ing the cost of service. I want to remind the House, too, that by this bill, if the rates are too high, and I admit they are, there is a provision in it authorizing the Interstate Commerce Commission to at once investigate the question of rates and determine what are equitable rates within the different zones paying the cost of service.

Now, with reference to the amendment proposed by the gentleman from New York [Mr. SULZER], the fatal defect of which is this 8-cent flat rate, which, on the one hand, makes a man within the 50 or 100 mile zone pay more than he ought to pay for his packages and the man in the longer zone across the country is paying less than he ought to pay. You are making the short-distance man pay for the deficit occasioned by the man with the longer distance.

Mr. SULZER. That is the law now with all mailable matter.

Mr. LENROOT. More than that, he does this: The express companies will do all the business so far as the profit within the narrow zone is concerned [applause] and the Government will do all the business on the longer distance where there is a loss to the Government. [Applause.] There can not be any question about that. I can not see how the gentleman from New York or any other gentleman can favor the flat rate where it necessarily means a loss to the Government in the cost of service and the handing over to the express companies the business where there is a profit—

Mr. SULZER. The gentleman is in error. My amendment gives the Government the exclusive right to carry all mailable matter under 11 pounds weight.

Mr. LENROOT. Well, it may be that can be done, but I want to say that the decision of the Supreme Court of the United States in the Jackson case is that except so far as the packages were mail matter at the time of the adoption of the Constitution the Government can not be given a monopoly. The gentleman must be familiar with that decision. It is plain—

Mr. SULZER. The provision in my amendment obviates that decision.

Mr. LENROOT. These parcels were not mailable at the time of the adoption of the Constitution.

The CHAIRMAN. The time of the gentleman has expired; all time has expired. The question is on the amendment of the gentleman from Minnesota to the amendment of the gentleman from New York.

The question was taken; and on a division (demanded by Mr. ANDERSON of Minnesota) there were—ayes 73, noes 74.

Mr. ANDERSON of Minnesota and Mr. MANN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. ANDERSON of Minnesota and Mr. MOON of Tennessee) reported that there were—ayes 81, noes 99.

So the amendment was rejected.

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on this proposition and all pending amendments be now closed.

The CHAIRMAN. The gentleman from Tennessee moves that all debate on the substitute and the amendment to the substitute be now closed.

Mr. MARTIN of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARTIN of South Dakota. Does the motion of the gentleman from Tennessee refer to all debate upon this entire question, or only upon the Sulzer question?

The CHAIRMAN. To the entire question.

Mr. MARTIN of South Dakota. I have an amendment I desire to offer.

Mr. MOON of Tennessee. The gentleman will have an opportunity to offer the amendment.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. The way the Chair stated the motion, it would include everything. Does the gentleman move to close debate on the section and all amendments thereto?

The CHAIRMAN. On the section and all amendments thereto. The question is on the motion of the gentleman from Tennessee.

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

The CHAIRMAN. The question now is on the amendment of the gentleman from New York [Mr. SULZER].

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

Mr. SULZER. Division, Mr. Chairman.

The committee divided; and there were—ayes 19, noes, 152.

So the amendment was rejected.

Mr. GUERNSEY. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. The gentleman from Maine [Mr. GUERNSEY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by striking out all after the word "that," line 16, section 8, and insert the following:

"The Post Office Department of the United States shall be, and it hereby is, authorized to transport as mail matter parcels of merchandise up to 11 pounds in weight, at the rate of 12 cents per pound, subject to the same regulations now made applicable to foreign parcels now transported through the mails within the United States; and at the rate of 6 cents per pound for a maximum distance from point of mailing, as the Postmaster General shall from time to time determine that such parcels can be carried in the mails without loss to the Government; and at the rate of 3 cents per pound for a maximum distance from point of mailing, as the Postmaster General shall likewise determine; and when such parcels are carried exclusively on a rural route it shall be at a rate not in excess of 5 cents for the first pound and 2 cents for each additional pound, as may be determined by the Postmaster General."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maine [Mr. GUERNSEY].

The question was taken, and the amendment was rejected.

Mr. MARTIN of South Dakota. Mr. Chairman, I offer the following amendment.

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

The Clerk read as follows:

Amend substitute by adding after the words—

The CHAIRMAN. An amendment to the substitute is not in order.

Mr. SULZER. Mr. Chairman, I offer the following amendment.

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

The Clerk read as follows:

Strike out all after the word "That," in section 8, and insert:

"The postage rates on mail matter of the fourth class, except as hereinafter provided, shall be as follows: One cent per ounce or fraction thereof on all matter of such class weighing not to exceed 8 ounces, and on such matter weighing in excess of 8 ounces, 8 cents and 2 cents additional for each 4 ounces or fraction thereof in excess of 8 ounces, and that the weight limit of mail matter of the fourth class be 7 pounds after January 1, 1913, and 11 pounds after June 30, 1913, except as hereinafter provided:

"That hereafter the postage rates on mail matter of the fourth class, delivered to any post office or branch post office where the haul thereof does not exceed 50 miles, shall be as follows: Five cents for 1 pound or fraction thereof and 2 cents additional for each additional pound or fraction thereof, and for this service no package to weigh in excess of 11 pounds. For the purpose of this service each rural mail route shall be considered a post office for any point on such route.

"That the word 'packet' wherever used in laws relating to the postal service means all matter of every class which is by law made mailable."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SULZER].

The question was taken, and the amendment was rejected.

Mr. LAFFERTY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Oregon [Mr. LAFFERTY] offers an amendment, which the Clerk will report.

The Clerk proceeded with the reading of the amendment.

Mr. MANN. Mr. Chairman, I make the point of order that the amendment is not in order.

Mr. MOON of Tennessee. That is the Lewis-Goeke bill on which we have a favorable report and a rule making it in order.

Mr. BARTLETT. It is not germane.

Mr. MOON of Tennessee. I did not recognize the bill when it was read.

The CHAIRMAN. The gentleman has offered to amend the text of section 8.

Mr. LAFFERTY. By striking out section 8 and offering this in lieu thereof.

The CHAIRMAN. That would be offering a substitute that is already pending.

Mr. LAFFERTY. I did not understand the substitute.

Mr. STEENERSON. Mr. Chairman, I wish to offer an amendment.

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

Mr. STEENERSON. I do not know where to insert the amendment. It is an amendment to the postal-service division.

Mr. BUTLER. Put it in the basket. [Laughter.]

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

The Clerk read as follows:

Also investigate the system of railway mail pay now in force and suggest such changes as are deemed advisable.

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

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

Mr. STEENERSON. I call for a division.

The committee divided; and there were—ayes 1, noes 51.

So the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Maryland [Mr. LEWIS] to the substitute offered by the gentleman from Tennessee [Mr. MOON].

The question was taken, and the amendment was rejected.

Mr. LEWIS. Mr. Chairman, I did not understand the matter in the present situation. I withdraw the amendment in view of the alteration of the substitute of the gentleman from Tennessee [Mr. MOON].

The CHAIRMAN. The amendment has already been voted upon, and it was voted down.

Mr. MARTIN of South Dakota. Mr. Chairman, I offer an amendment to the substitute.

The CHAIRMAN. The gentleman from South Dakota offers an amendment to the substitute, which the Clerk will report.

The Clerk read as follows:

Amend the substitute by adding after the words "express post" the words "and railway express."

Mr. LEWIS. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. MARTIN].

The question was taken, and the amendment was rejected.

Mr. LAFFERTY. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Oregon offers an amendment. The Chair would call the attention of the gentleman to the fact that his amendment is not in order unless it is the Goeke bill, as set out in the rule.

Mr. LAFFERTY. It is the Goeke bill, Mr. Chairman, word for word. I offer it as an amendment.

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

The Clerk read as follows:

Strike out all after the word "that," in section 8, and insert the following:

"In order to promote the postal service and more efficiently regulate commerce between the several States, the Territories of the United States, the District of Columbia, the possessions of the United States, and foreign nations the contracts and agreements and arrangements of the several express companies with the several railroad companies or other common carriers of the United States, its Territories, and the District of Columbia, relating to the collecting, receiving, caring for, storing, dispatching, forwarding, and delivering by such railroad company or other common carriers of parcels, packets, and packages, and other express matter, and the operating equipment, cars, vehicles, horses, such buildings necessary and appropriate, and leases of buildings, used in the conduct of the express business, and all other property or rights and privileges owned and used by such express companies which are necessary and appropriate to such collecting, receiving, caring for, storing, dispatching, forwarding, and delivering of such parcels, packets, packages, and express matter, are hereby declared to be, and the same are hereby, condemned and appropriated to and for the United States of America, to be used by it for carrying out the purposes of this act. That the words "express company" as used in this act shall be construed to include any corporation, joint-stock company, association, partnership, and individual, as far as engaged in the collecting, receiving, caring for, storing, dispatching, forwarding, and delivering of parcels, packets, packages, and other express matter, by rail or water, or both. And the words "railroad" or "railway company" shall be construed to include any transportation agency by rail or water as far as used as a post route or in carrying express matter. On and after July 1, 1913, any railroad, steamship, or other transportation agency having a contract with any express company subject to this act shall transport and carry for the Post Office Department all matter transportable under said contract, and shall execute and perform with respect to such Post Office Department all such duties as have been customary under such contract in relation to the express company or companies named therein, and shall permit its agents and employees when required to continue to discharge such services in respect thereto, and upon like terms, without interference on its part: *Provided*, That no property is hereby condemned or appropriated which, in the judgment of the Postmaster General, is not necessary or required in or about the conduct of such express business by the United States.

"(b) That it shall be the duty of the President on the 1st day of July, 1913, to take charge and possession of all the property of such express companies condemned and appropriated by this act, in the name of and by the authority of the United States of America; and thereupon it shall be the duty of the Postmaster General to employ said property and facilities in conjunction with the postal service, and to henceforth conduct said express service.

"(c) That it shall be the duty of the Postmaster General to make and promulgate such rules and regulations for carrying into effect the provisions of this act as he may deem necessary, subject to the approval of the President.

"(d) That during the months of August and December, 1912, and April, 1913, the weights of matter carried over the respective railroads under contracts with the express companies during the pendency thereof shall be taken for each railroad company in respect to such contract under regulations to be provided by the Post Office Department, and the amount of money paid for the carriage thereof to the railroad shall be divided by the mileage of such railroad over which such matter is carried; and thereafter the Postmaster General shall, if the railroad company consent thereto, cause to be paid to such railroad company the amount per mile owing to such railroad under such contract as thus

computed; and thereafter annually at such times as may be determined upon by the Postmaster General such matter shall be weighed, and the railroad company shall be paid monthly for the excess weight carried by it, over the first weighing herein provided, such sums as may be agreed upon for such excess weight; but if such Postmaster General and such railroad company shall fail to agree upon a basis of compensation for such excess weights, then the same shall be paid for according to the terms and provisions of the contract condemned in such case.

"(e) That at the expiration or termination of any contract between an express company and a railroad condemned by this act (or at any time before, if such railroad company shall consent thereto) the Postmaster General may contract with such railroad company for the transportation of postal-express matter, and, if deemed advantageous, upon cars provided by the postal department, which may be transferred without unloading onto the lines of other railroad companies, at such rates of compensation and upon such principles of computation thereof as may be agreed upon, with the right of review and revision of the same by the Interstate Commerce Commission as hereinafter provided. And in case the Postmaster General and such railroad company, after the expiration or termination of the contract with an express company, shall fail to agree upon the terms and provisions of the renewal thereof, they shall submit their respective contentions with reference thereto to the said Interstate Commerce Commission, which shall thereupon have plenary power to declare the terms and provisions which said contract shall contain.

"(f) That immediately after the passage of this act it shall be the duty of the Interstate Commerce Commission, acting as a tribunal of appraisal and award, to appraise the value of the property condemned and appropriated by the United States of America in section 1 of this act and award to the respective express companies just compensation therefor. Each commissioner shall take oath to justly perform such duties before some judge of the courts of the United States. The said Interstate Commerce Commission shall have power, and it shall be its duty to summon witnesses, with books and papers, before it, for either of the parties, and require such witnesses to testify, and it shall give to each party a full hearing; and it shall be the duty of such commission, on or before the 7th day of May, 1913, to file a separate award of appraisal for each express company condemned under this act, with respect to the property condemned, in the district court of the United States where the express company has its principal office, and give notice of the filing of such award to the Postmaster General and to such express company. And if either party shall be dissatisfied with the amount of said award, the same may, upon application of either party, be reviewed by the said district court.

"(g) That the Secretary of the Treasury is hereby authorized and directed to make payment to such express companies of the money adjudged to be due them, as aforesaid, out of the Treasury of the United States, and said express companies shall be entitled to payment of such final award as compensation from the Treasury of the United States and the Treasurer thereof, and the amounts of said award are hereby appropriated to the parties entitled thereto out of the Treasury of the United States.

"(h) That any willful failure or refusal by any railroad company or other common carrier, subject to the provisions of this act, to perform any service required by this act or by any lawful rule or regulation made and promulgated by the Postmaster General in pursuance of this act, or of any lawful ruling, finding, or determination of the Interstate Commerce Commission, or of any order, judgment, or decree of any court of the United States of competent jurisdiction, shall constitute a misdemeanor which, upon indictment and conviction, shall be punished by a fine not exceeding \$1,000.

"(i) That the Postmaster General shall have power to rent, lease, or purchase real estate and personal property, supplies, cars, and equipment for use by his department for the purposes of this act. He shall have power to condemn in the name of the United States any property, real, personal, or mixed, which he may deem necessary for the efficient operation of the service, but the said Interstate Commerce Commission shall first value and file its award therefor as hereinbefore specified."

Mr. ADAMSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ADAMSON. There has been so much confusion, Mr. Chairman, that I could not hear what has been read. What is the parliamentary status of this proposition?

The CHAIRMAN. The gentleman from Oregon offered an amendment to the text of the bill. Does the gentleman from Georgia wish to offer an amendment?

Mr. ADAMSON. I offer an amendment to it.

The CHAIRMAN. The gentleman from Georgia [Mr. ADAMSON] offers an amendment to the amendment offered by the gentleman from Oregon [Mr. LAFFERTY].

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Has the Clerk finished the reading of the amendment offered by the gentleman from Oregon?

The CHAIRMAN. He has; and now the gentleman from Georgia [Mr. ADAMSON] offers an amendment to the amendment of the gentleman from Oregon.

Mr. ADAMSON. Mr. Chairman—

The CHAIRMAN. Where does the gentleman desire his amendment to come in?

Mr. ADAMSON. I want it to take the place of the proposition offered by the gentleman from Oregon.

The CHAIRMAN. The gentleman can not do that.

Mr. ADAMSON. I want to strike out all the gentleman's proposition, and insert this instead.

Mr. MOON of Tennessee. Mr. Chairman, I reserve a point of order.

Mr. LAFFERTY. I make the point of order, Mr. Chairman, that that sort of an amendment is not in order.

Mr. ADAMSON. It is to strike out all after the word "the" in the gentleman's amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Georgia [Mr. ADAMSON].

The Clerk read as follows:

Strike out all after the word "the" and insert in lieu thereof the following:

"That the rates hereinafter stated shall hereafter be the maximum rates to be applied either in first fixing rates by the express companies or in their correction or regulation by the Interstate Commerce Commission."

Mr. LAFFERTY. Mr. Chairman, my amendment begins with the word "In" and not with the word "The."

Mr. MANN. I guess the amendment of the gentleman from Oregon is not in order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That the rates hereinafter stated shall hereafter be the maximum rates to be applied either in first fixing rates by the express companies or in their correction or regulation by the Interstate Commerce Commission, and no higher rates shall be charged and collected by express companies engaged in interstate commerce for receiving, transporting, and delivering packages or parcels not exceeding 11 pounds in weight and valued at not more than \$80 between a point in one State, Territory, or District in the United States and another point in a different State, Territory, or District in the United States, whether the transportation occurs on the line of a single express company or on a through route or shipment operated by two or more connecting express companies:

Between any two points in the United States more than 2,000 miles apart, 12 cents per pound.

Between any two points not more than 2,000 miles apart, 10 cents per pound.

Between any two points not more than 1,200 miles apart, 7 cents per pound.

Between any two points not more than 800 miles apart, 5 cents per pound.

Between any two points not more than 600 miles apart, 4 cents per pound.

Between any two points not more than 250 miles apart, 2 cents per pound.

Provided, That no company shall be required to carry any package for less than 10 cents.

SEC. 2. That any person delivering to any agent or office of any express company in the United States any parcel at the time under the law mailable on rural routes plainly addressed to any person or in care of any person on any rural mail route, the initial post office of which is at or in the same town, village, or city with any express office of any express company, may pay in advance both the proper express charges and the United States postage required to carry such parcel on the rural mail route. On arrival at the terminal express office of the same or any connecting express company where originates the mail route to which the parcel is directed the agent at such office shall mail such parcel, paying the proper postage thereon. Likewise any person on any rural route, the initial post office of which is in the same town, city, or village with any express office, may, in addition to paying the postage appropriate on any parcel at the time under the law mailable on rural routes addressed and mailed to any person at any express office in the United States, pay to the rural letter carrier the proper express charges thereon to the point of destination, whereupon it shall be the duty of such rural letter carrier upon his return to his initial post office to deliver such parcel to the express office and prepay the express thereon. It shall be the duty of the postmasters and the express agents to execute receipts to conform to this provision.

SEC. 3. That it shall be unlawful for any express company operating a single line or any number of express companies making a through route or shipment to charge more in the aggregate than the maximum price fixed for any distance set out in section 1 of this act, or to fail or refuse to do any act or render any service provided in section 2 of this act. In case any express company shall violate any provision of this act it shall forfeit \$100, with reasonable attorney's fees and such damages as may be proved in addition thereto, to either the consignor or the consignee upon a suit brought in any court, State or Federal, within the jurisdiction of which court such violation shall have occurred.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Georgia [Mr. ADAMSON].

Mr. LAFFERTY. Mr. Chairman, I make the point of order that that amendment is not germane.

The CHAIRMAN. The point of order is overruled. The question is on agreeing to the amendment offered by the gentleman from Georgia.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Oregon [Mr. LAFFERTY].

The question was taken, and the amendment was rejected.

Mr. SULZER. Mr. Chairman, I offer the following amendment, to be inserted at the end of the paragraph.

The CHAIRMAN. Which paragraph?

Mr. SULZER. The paragraph of the amendment offered by the gentleman from Tennessee [Mr. MOON].

The CHAIRMAN. The Clerk will read the amendment offered by the gentleman from New York [Mr. SULZER].

The Clerk read as follows:

That the word "packet" or "parcel" wherever used in the laws relating to the postal service means all matter of every class which is by law made mailable.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Where does the amendment come in?

The CHAIRMAN. The amendment comes after the last word of the paragraph offered as a substitute by the gentleman from Tennessee [Mr. MOON]. The question is on agreeing to the

amendment offered by the gentleman from New York [Mr. SULZER].

Mr. MOON of Tennessee. Mr. Chairman, I make the point of order that it is not germane to the section.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MOON of Tennessee. Mr. Chairman, I move to amend the substitute which I offered by striking out the first three lines. Amend by striking out in section 8 the words "That hereafter postage shall be paid on matter of the fourth class at the rate of 12 cents a pound, except as herein provided."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee [Mr. MOON] to his substitute.

The Clerk read as follows:

Strike out the words immediately following section 8: "That hereafter postage shall be paid on matter of the fourth class at the rate of 12 cents per pound, except as herein provided."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee [Mr. MOON].

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. SULZER. A division, Mr. Chairman.

The committee divided; and there were—ayes 91, noes 62.

Mr. SULZER. Mr. Chairman, I ask for tellers.

Mr. MANN. I ask for tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. MOON of Tennessee and Mr. MANN.

Mr. EDWARDS. Mr. Chairman, I ask unanimous consent that the amendment be read again. It is but a short amendment and it will not take a minute to do it.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk again reported the amendment offered by the gentleman from Tennessee [Mr. MOON].

The committee again divided; and the tellers reported—ayes 68, noes 93.

Accordingly the amendment was rejected.

Mr. SULZER. I move to strike out "twelve" and insert "eight" in the substitute, so as to make the rate 8 cents a pound instead of 12 cents a pound.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

In line 2 of the substitute strike out the word "twelve" and insert in lieu thereof the word "eight."

The question being taken, on a division (demanded by Mr. CALDER), there were—ayes 43, noes 102.

Mr. SULZER. Tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. SULZER and Mr. MOON of Tennessee.

The committee again divided; and the tellers reported—ayes 53, noes 94.

Accordingly the amendment was rejected.

The CHAIRMAN. The question now is on the substitute offered by the gentleman from Tennessee [Mr. MOON].

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

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

The Clerk read as follows:

Amend the committee substitute in the last paragraph by adding, after the words "as they deem desirable," at the end of the sentence, the following:

"That the Postmaster General and the Interstate Commerce Commission shall furnish such data and otherwise render such assistance to the said commission as may be desired or available."

The question being taken, the amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman I offer an amendment.

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

The Clerk read as follows:

At the end of the substitute add:

"Provided, That the rates herein provided for fourth-class matter on rural delivery routes shall also prevail on all city delivery routes."

The question being taken, the amendment was rejected.

Mr. BATHRICK. Mr. Chairman, I desire to offer an amendment to change the date at which the committee shall report.

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

The Clerk read as follows:

Strike out "December" and insert in lieu thereof "June 1."

The question being taken, the amendment was rejected.

Mr. GARNER. Mr. Chairman, I offer a substitute for the substitute.

The CHAIRMAN. The gentleman can not offer a substitute for a substitute.

Mr. GARNER. After the substitute has been perfected, then is not an amendment in order as a substitute for that?

The CHAIRMAN. An amendment to the substitute would be in order.

Mr. GARNER. I can not offer this as an amendment to the substitute.

The CHAIRMAN. The Chair is very sorry. The question is on the substitute of the gentleman from Tennessee [Mr. Moon].

The question being taken, the substitute of Mr. Moon of Tennessee as amended was agreed to.

The announcement of the result was received with applause.

The Clerk read as follows:

SEC. 9. That from and after the 1st day of July, 1912, the compensation of rural letter carriers for carrying the mail six days each week on standard routes of 24 miles in length shall be the sum of \$1,074 per annum, to be paid monthly; and on routes exceeding 24 miles in length the sum of \$44.75 per mile per annum for each mile in excess of 24 miles; and on routes under 24 miles in length a corresponding reduction of compensation per mile per annum shall be paid; on routes carrying the mail three days of each week of the same length as above the pay shall be one-half the compensation there provided.

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

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

The Clerk read as follows:

At the end of line 22, page 37, add the following:

"Provided, however, That because of the compensation herein provided no rural letter carrier shall receive less salary than before the passage of this act."

The question being taken, the amendment was agreed to.

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

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

The Clerk read as follows:

Amend, by striking out of line 14, page 37, the words "\$1,074 per annum" and inserting the words "\$1,200 per annum."

Mr. MANN. What is the effect of that amendment? I did not hear it.

The CHAIRMAN. It is to increase the salary from \$1,074 to \$1,200.

Mr. RUSSELL. Mr. Chairman, I have offered this amendment, the purpose of which is to make the salary of all rural-route carriers on standard routes of 24 miles or more \$100 per month, or equal to \$50 per mile per annum. If this amendment is agreed to by the House, I shall then offer an amendment to make the same rule of \$50 per mile per annum apply to other routes of less than 24 miles. I desire to say in the beginning of my remarks that there is to-day no class of men engaged in the public service who are more faithful, more prompt, or more accommodating than the free rural-route carriers, and, moreover, there are none who are more in touch with the people and none whose services are more appreciated by their patrons.

Again I want to say, and to impress the fact upon the attention of this House, that but very little of the millions of dollars appropriated by Congress is expended for the direct benefit of the farmers of the country, but the Rural Free Delivery Service is peculiarly and almost exclusively for the benefit of the farmers, and is a modern convenience that they highly appreciate. The farmer, his wife, and his children anxiously look forward to the daily coming of their carrier in anticipation of the papers, the business letters, or of messages from absent loved ones.

With the consent of the Post Office authorities of this city I was permitted to go and did go over the route with one of the rural carriers out of my home city, so that I might personally observe and better understand the character of the work done, the benefits resulting therefrom, and to ascertain the estimate placed upon this service by the people. I am glad to-day to give my testimony to the fact that the carrier was not only courteous and obliging in the discharge of his duties, but was always glad to extend favors and to accommodate the people beyond the requirement of his position, and from what I know of many of the carriers in my district I believe that the same might be truthfully said of them all.

I am glad also to state that the eagerness with which the patrons along the line met the carrier and the friendly salutations of welcome expressed, both in words and actions, furnished unmistakable proof of their high appreciation of his daily visits.

But the question that is now before the House, and that I desire to briefly discuss, is that of the compensation of these important and faithful employees of the Government.

I maintain and believe that I can show that their present compensation is not adequate for the services rendered and not sufficient for their comfortable support.

In order to obtain full and accurate information upon the subject, I recently forwarded to the 97 rural carriers in my district the following questions:

1. Your present salary?
2. Value of buggy, harness, and horse, or other means of conveyance?
3. Annual cost of repairing; feeding and caring for horses?
4. Estimated depreciation in value of wagon and team from wear, age, or death per year?

Many of them replied that they were not permitted by the rules of the department to advise me. This rule that forbade them to tell their Representative in Congress the truth about their salary and expenses I then thought, and now think, was an outrage against the privileges and the liberties of free men.

I later conferred with the postal authorities and was very courteously furnished the desired information by Mr. McGraw, the Fourth Assistant Postmaster General.

The result of the information as furnished to me was as follows:

The average salary per year of the 97 carriers in my district is—\$940.60

Annual expenses of carriers.

The average value of the carrier's investment in vehicle, horses, and harness is \$338.42.

8 per cent interest on this, which is the usual rate paid, is—\$27.07

The average annual expenses, feeding, and repairing is—302.46

The average annual depreciation of carrier's outfit is—103.20

Total average annual expenses—432.73

Net average salary per annum—507.87

Net average salary per month—42.32

I submit to the fair-minded men of this House, who desire to see the Government pay just and fair compensation to its employees, that this sum is not fair or reasonable for the services rendered and is not sufficient for the comfortable support of a man and his family, especially at this time and under the present high cost of the necessities of life, and I hope this amendment will be adopted.

The question was taken, and the amendment was rejected.

Mr. RUBEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend section 9, page 37, as follows: Insert in line 17, between the words "mile" and "in" the words "a majority fraction of a mile."

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

Mr. TRIBBLE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Strike out, on page 37, line 14, the word "seventy-four" and insert the words "two hundred." On the same page, lines 16 and 17, strike out the words "forty-four dollars and seventy-five cents" and insert "fifty dollars."

Mr. TRIBBLE. Mr. Chairman, I have before me a list of the city and rural carriers going out from the post office at Athens, Ga. The first carrier on this list is a negro, a city carrier; this negro draws \$1,200 per year. I am not informed whether or not the Government furnishes him a buggy and horse, but under the present law he is entitled to conveyance, it appearing to the officials that such is required. This man is first on the list of city carriers. First on the list of rural carriers is a young white man, well educated and refined. He comes from a family of the old southern type, the nephew of one of the most learned Presbyterian preachers the South ever produced, and yet this boy receives only \$900 per year. The other white carriers on this list are all of good families, refined, educated Christian gentlemen, and this is true of the carriers all over my district, and yet these rural carriers, who are called upon to go in the sunshine and in the rain, in the snow and in the ice, in the mud and in the storm, seldom receive as much as \$1,000 per annum. Sir, I am here to say that I consider it a burning shame for a negro delivering mail on paved streets and paved sidewalks to receive more pay than these honest rural carriers, working often into the night on account of bad roads. I have no complaint against white city carriers receiving \$1,200 per year, but I do say the rural carriers should receive an equal sum. I challenge any man on the floor of this House to give any kind of reason for this discrimination. If any difference is shown, the rural carrier should receive more, on account of expense of horse and buggy; and now that we have established a rural parcel post his labor and expense will no doubt be increased.

I am surprised at many gentlemen from large cities opposing this increase. I was surprised to see the city opposition to the post-road appropriation. It would be difficult to estimate the millions upon millions that have poured into cities like New York for Government buildings and various things too numerous to mention; and yet when you talk of doing something for the

rural districts they raise the cry "Bankrupt the Government!" Let me give you some facts to consider. There are 8,040 post officials in the city of New York. There are 2,728 city carriers in New York City. In Georgia there are 4,220 post officials. To cover the entire territory of that great State there are only 1,539 rural carriers. Gentlemen, let me appeal to your sense of justice. Give the country boy a fair deal. In one city on paved streets there are 2,728 carriers to deliver mail in the city alone, while on the other hand 1,539 on mud roads to cover the empire State of the South. For every five rural carriers in the United States there is one post-office official in New York City drawing good salary, and yet gentlemen from that and other cities protest in strong language against appropriations for the upbuilding of the rural districts. Gentlemen, arouse yourselves and be just to the rural part of the country. The daily mail should go to every home in the country on good roads, carried by white carriers receiving equal pay to city carriers. My amendment provides for \$1,200 for standard routes, with \$50 additional for extra miles and \$50 reduction per mile on routes less than standard. It is reasonable, it is right, and it should pass.

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

The question was taken; and on a division (demanded by Mr. TRIBLE) there were—ayes 25, noes 78.

So the amendment was rejected.

Mr. AUSTIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

In line 22, page 37, insert the following: "There shall be paid \$200 per annum to every rural delivery carrier to cover the cost of stock, equipment," etc.

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

The question was taken; and on a division (demanded by Mr. AUSTIN) there were—ayes 29, noes 65.

So the amendment was rejected.

Mr. LOBECK. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by striking out, in line 14, page 37, the words "one thousand and seventy-four" and insert in lieu thereof the words "one thousand one hundred."

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

The question was taken, and the amendment was rejected.

Mr. RUBEY. Mr. Chairman, I offered an amendment a little while ago, and only one-half of the amendment was read and agreed to. The last half of the amendment is necessary in order to even it up.

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

The Clerk read as follows:

Strike out in lines 19 and 20 the words "a corresponding reduction of compensation per mile per annum shall be paid" and insert in lieu thereof the words "a reduction of \$44.75 per annum shall be made for every mile less than 24 miles traveled by carrier."

Mr. FINLEY. Mr. Chairman, I hope that amendment will not prevail. That will reduce the pay below the pay already fixed in the bill.

Mr. RUBEY. Mr. Chairman, I will withdraw that amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

The Clerk concluded the reading of the bill.

Mr. MOON of Tennessee. Mr. Chairman, I move that the committee do now rise and report the bill, with amendments, to the House, with a recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. REILLY. Mr. Chairman, before that is done I ask unanimous consent to return to page 23 to offer an amendment providing that part of the appropriations in this bill be made immediately available in order to pay the heirs of the three sea post clerks lost on the steamship *Titanic*.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to return to page 23 of the bill for the purpose of offering an amendment, which the Clerk will report.

The Clerk read as follows:

Page 23, line 12, after the comma following the word "Union," insert:

"Provided further, That the sum of \$15,000 be appropriated and made immediately available for the relief of the heirs or next of kin of W. L. Gynn, O. S. Woodey, and J. S. March, sea post clerks who lost their lives on the steamer *Titanic*; said sum to be equally divided, \$5,000 to each family."

The CHAIRMAN. Is there objection?

Mr. FITZGERALD. Mr. Chairman, I reserve the right to object until I can understand what the proposition is.

Mr. MANN. Mr. Chairman, I suggest to the gentleman from Connecticut that he could as well ask unanimous consent in the House as in the committee. That can be done to-morrow, and we can in the intervening time have an opportunity to examine the amendment.

Mr. REILLY. Mr. Chairman, I ask unanimous consent to withdraw the amendment and the request with the understanding that that may be done.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to withdraw his request for unanimous consent, together with the amendment. Is there objection?

There was no objection, and it was so ordered.

The CHAIRMAN. The question now is on the motion of the gentleman from Tennessee that the committee do now rise and report the bill with amendment.

The motion was agreed to.

Accordingly the committee rose; and Mr. HAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21279, the Post Office appropriation bill, and had directed him to report the same back to the House with sundry amendments, with a recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MOON of Tennessee. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Mr. Speaker, if the House should now adjourn, to-morrow being Calendar Wednesday, is the Chair prepared to rule, the previous question having been ordered, as to whether the bill would come up to-morrow or go over until Thursday?

The SPEAKER. As at present advised, the Chair would rule that the bill would have to go over until Thursday. That, however, may be obviated by any gentleman asking unanimous consent to postpone the business of Calendar Wednesday until Thursday.

Mr. MANN. That would have to be determined to-morrow, I suppose.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 5415. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5493. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. J. Res. 102. Joint resolution relative to the rebuilding of certain levees on the Mississippi River and its tributaries;

S. 5194. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and certain widows and dependent relatives of such soldiers and sailors;

S. 5670. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 4623. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 5045. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

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. 19721. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows and dependent relatives of such soldiers and sailors; and

H. R. 12623. An act to incorporate the American Numismatic Association.

FLOODS ON THE MISSISSIPPI RIVER AND TRIBUTARIES.

The SPEAKER. The Chair desires to make a statement to the House. This afternoon, while in consultation in the Speaker's room with the gentleman from Nebraska [Mr. NORRIS], regarding a bill of which he has charge, one of the Speaker's clerks came in and stated that the gentleman from Louisiana [Mr. RANDELL] was very anxious to have signed

the bill recently passed respecting flood conditions in the Mississippi Valley. The Speaker then signed the bill and gave it to the Clerk, telling him to bring it into the House. In some way, through a misunderstanding, a messenger took it to the Senate. It was signed in the Senate, and the bill was then taken to the White House, where it was signed by the President. The President left town in less than 10 minutes after signing it. The Chair, therefore, asks unanimous consent that the Journal show that the report of the Committee on Enrolled Bills upon this bill was properly presented to the House. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HOWARD, for three days, on account of important business.

To Mr. FRANCIS, for one week, on account of illness in family.

To Mr. CONNELL, for five days, on account of illness in family.

INTERNAL TAXES, PHILIPPINE ISLANDS (S. DOC. NO. 620).

The SPEAKER. By unanimous consent the Chair will lay before the House a short message from the President of the United States.

The Clerk read as follows:

To the Senate and House of Representatives:

I submit herewith act No. 2127, entitled "An act providing for the apportionment and disposition of internal-revenue taxes collected in the Philippine Islands from July 1, 1912," passed by the Philippine Legislature on February 1, 1912.

Under a provision of section 5 of the United States customs tariff law, approved August 5, 1909, affirmative approval of this act by Congress is necessary to make it effective. I transmit herewith a letter from the Secretary of War explaining the act and its effect. I recommend that it be approved.

WM. H. TAFT.

THE WHITE HOUSE, April 30, 1912.

The SPEAKER. Ordered to be printed and referred to the Committee on Ways and Means.

ADJOURNMENT.

Mr. MOON of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 51 minutes p. m.) the House adjourned to meet to-morrow, Wednesday, May 1, 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 War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Passaic River, N. J. (H. Doc. No. 722); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting estimate of appropriation for crediting account of a special disbursing agent of the General Land Office (H. Doc. No. 723); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, withdrawing estimate of appropriation for temporary quarters for Government officials at Guthrie, Okla. (H. Doc. No. 724); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HAY, from the Committee on Military Affairs, to which was referred the bill (H. R. 23626) to appropriate \$300,000, or so much thereof as may be necessary, to equip all Army transports with all lifeboats and rafts necessary to accommodate every person for which transportation facilities are now provided on said transports, and the crew of said transports, reported the same without amendment, accompanied by a report (No. 621), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURNETT, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 4245) to increase the limit of cost of the additions to the public building at Salt Lake City, Utah, reported the same without amendment, ac-

companied by a report (No. 622), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ELLERBE, from the Committee on Rivers and Harbors, to which was referred the bill (H. R. 23774) providing an appropriation to check the inroads of the Missouri River in Dakota County, Nebr., reported the same with amendment, accompanied by a report (No. 623), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GUDGER, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 5494) to provide a site for the erection of a building to be known as the George Washington Memorial Building, to serve as the gathering place and headquarters of patriotic, scientific, medical, and other organizations interested in promoting the welfare of the American people, reported the same with amendment, accompanied by a report (No. 627), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 22731) to extend the time for the construction of a dam across the Pend Oreille River, Wash., reported the same without amendment, accompanied by a report (No. 624), which said bill and report were referred to the House Calendar.

Mr. GOEKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 23407) authorizing the fiscal court of Pike County, Ky., to construct a bridge across Levisa Fork of the Big Sandy River, reported the same without amendment, accompanied by a report (No. 625), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 6167) to authorize the Williamson & Pond Creek Railroad Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near Williamson, Mingo County, W. Va., reported the same with amendment, accompanied by a report (No. 626), which said bill and report were referred to the House Calendar.

Mr. GEORGE, from the Committee on the District of Columbia, to which was referred the bill (S. 2224) to amend "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, reported the same without amendment, accompanied by a report (No. 628), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FERGUSON: A bill (H. R. 23950) appropriating \$15,000 for the construction of a reservoir in Sandoval County, State of New Mexico; to the Committee on Irrigation of Arid Lands.

By Mr. MARTIN of South Dakota: A bill (H. R. 23951) to increase the limit of cost of the United States post-office building at Huron, S. Dak.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Texas: A bill (H. R. 23952) to prescribe the conditions under which corporations may engage in interstate commerce and to provide penalties for otherwise engaging in the same; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYDEN: A bill (H. R. 23953) to authorize the reservation of land for public purposes in town sites in certain Indian reservations; to the Committee on Indian Affairs.

Also, a bill (H. R. 23954) to amend section 3 of the act of February 21, 1911, relating to the disposition of surplus irrigating waters; to the Committee on Irrigation of Arid Lands.

By Mr. STEPHENS of Texas: A bill (H. R. 23955) requiring the United States Government to furnish post-office boxes permanently to all citizens paying the first cost of their box in all post offices now renting boxes to citizens, and to repeal all laws inconsistent with this act; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 23956) providing for the appointment of a commission to revise the postal laws and regulations of the United States; to the Committee on the Post Office and Post Roads.

By Mr. O'SHAUNESSY: A bill (H. R. 23957) to establish and maintain a permanent force of park policemen for the protection of the public squares and reservations in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SABATH: A bill (H. R. 23958) to secure information relative to food products stored in cold-storage warehouses; to the Committee on Interstate and Foreign Commerce.

By Mr. PROUTY (by request): A bill (H. R. 23959) to amend section 558 of the Code of Law of the District of Columbia relating to notaries public; to the Committee on the District of Columbia.

By Mr. LAFEAN: A bill (H. R. 23960) for the erection of a memorial amphitheater in the Gettysburg National Cemetery, Gettysburg, Pa.; to the Committee on the Library.

By Mr. SMALL: A bill (H. R. 23961) to establish a fish-cultural station on Pasquotank River, or its tributaries, in the State of North Carolina; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 23962) to establish a fish-cultural station on Pamlico River, or its tributaries, in the State of North Carolina; to the Committee on the Merchant Marine and Fisheries.

By Mr. CLAYTON: Joint resolution (H. J. Res. 311) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. UTTER: Memorial from the General Assembly of the State of Rhode Island, recommending the passage of House bill 17731, providing for the Federal inspection of seagoing barges; to the Committee on the Merchant Marine and Fisheries.

By Mr. KINDRED: Memorial from the Legislature of the State of New Mexico, asking Congress to enact relief-homestead law (S. 3367); to the Committee on the Public Lands.

By Mr. PETERS: Memorial of the Commonwealth of Massachusetts, relative to Federal protection of migratory game birds; to the Committee on Agriculture.

By Mr. MURRAY: Memorial from the Commonwealth of Massachusetts, asking Federal protection of migratory game birds; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Ohio: A bill (H. R. 23963) granting an increase of pension to William Bowles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23964) granting an increase of pension to Augustus V. Larick; to the Committee on Pensions.

Also, a bill (H. R. 23965) granting an increase of pension to Frank Stowe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23966) granting an increase of pension to John Finkle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23967) granting an increase of pension to John F. Stallsmith; to the Committee on Invalid Pensions.

By Mr. BARTHOLOTT: A bill (H. R. 23968) granting a pension to Joseph Daly; to the Committee on Pensions.

By Mr. CARY: A bill (H. R. 23969) granting an increase of pension to John Amberg; to the Committee on Invalid Pensions.

By Mr. DAVIS of West Virginia: A bill (H. R. 23970) granting a pension to Tilla L. Eckard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23971) for the relief of the county court of Marion County, W. Va.; to the Committee on the Judiciary.

By Mr. FERGUSON: A bill (H. R. 23972) granting a pension to Melquiades Ramirez; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23973) for the relief of the estate of Francisco Montoya; to the Committee on Claims.

By Mr. FIELDS: A bill (H. R. 23974) granting an increase of pension to John A. Kees; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23975) granting an increase of pension to Jeremiah Hicks; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 23976) for the relief of Andrew S. Abbott; to the Committee on Military Affairs.

Also, a bill (H. R. 23977) granting an increase of pension to Jacob N. Easterly; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 23978) to correct the military record of Reuel S. Clark; to the Committee on Military Affairs.

By Mr. HAMILTON of Michigan: A bill (H. R. 23979) granting a pension to Margaret E. Carrick; to the Committee on Invalid Pensions.

By Mr. HAMILTON of West Virginia: A bill (H. R. 23980) granting an increase of pension to John L. Barnhart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23981) granting an increase of pension to Nathaniel McDonald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23982) granting an increase of pension to Erastus P. Daggett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23983) granting an increase of pension to Stinnett Bee; to the Committee on Invalid Pensions.

By Mr. HARTMAN: A bill (H. R. 23984) granting an increase of pension to Matthew Corbin; to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: A bill (H. R. 23985) granting an increase of pension to James A. Anderson; to the Committee on Invalid Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 23986) granting a pension to Albert Sandbatch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23987) granting an increase of pension to Harrison A. Galloway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23988) granting an increase of pension to B. W. Burchett; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 23989) granting an increase of pension to James A. Fling; to the Committee on Invalid Pensions.

By Mr. NORRIS: A bill (H. R. 23990) granting an increase of pension to Jacob C. Yorty; to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 23991) granting an increase of pension to George W. Gray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23992) granting an increase of pension to Levi H. Barrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23993) granting an increase of pension to Jeremiah Fry; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 23994) granting an increase of pension to John H. Lamson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23995) granting an increase of pension to Elizabeth Dailey; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 23996) granting an increase of pension to Wesley Eichelberger; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 23997) granting a pension to Tyra B. Turpin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23998) granting a pension to Margaret Britton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23999) granting a pension to Alexander McWhorter; to the Committee on Pensions.

Also, a bill (H. R. 24000) granting an increase of pension to James Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 24001) for the relief of Daniel C. Hawn; to the Committee on War Claims.

Also, a bill (H. R. 24002) for the relief of Eliza Sturgess; to the Committee on War Claims.

Also, a bill (H. R. 24003) for the relief of the heirs of William T. Long, deceased; to the Committee on War Claims.

Also, a bill (H. R. 24004) for the relief of the heirs of Hiram J. Jones, deceased; to the Committee on War Claims.

Also, a bill (H. R. 24005) to remove the charge of desertion from the military record of George R. Lankford; to the Committee on Military Affairs.

By Mr. ROTHERMEL: A bill (H. R. 24006) granting a pension to Mary M. Rowe; to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: A bill (H. R. 24007) for the relief of Jesse C. Martin; to the Committee on War Claims.

By Mr. TAYLOR of Ohio: A bill (H. R. 24008) to correct the military record of Mathias Keith; to the Committee on Military Affairs.

By Mr. TOWNER: A bill (H. R. 24009) granting a pension to Amanda Perkins; to the Committee on Invalid Pensions.

By Mr. DUPRE: A bill (H. R. 24010) granting an increase of pension to Edward Jonas; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 24011) for the relief of John R. Gilbert; to the Committee on War Claims.

Also, a bill (H. R. 24012) for the relief of W. A. and A. B. Gabbard; to the Committee on War Claims.

By Mr. SELLS: A bill (H. R. 24013) granting a pension to Serena C. Mallicote; to the Committee on Invalid Pensions.

Also, a bill (H. R. 24014) granting a pension to Rebecca A. Maples; to the Committee on Pensions.

By Mr. SWITZER: A bill (H. R. 24015) to remove the charge of desertion from the military record of William H. Harrison; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the legal representatives of the Pokagon Tribe of Pottawatomie Indians of Michigan and Indiana, protesting against the Chicago Harbor project; to the Committee on Rivers and Harbors.

Also (by request), resolutions of Columbia Fortress, No. 7, National Daughters of the Grand Army of the Republic, on the *Titanic* disaster; to the Committee on the Merchant Marine and Fisheries.

Also (by request), petition of Joseph Diekmann, of Herten, Westphalia; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Minnesota: Petition of W. D. Bassler and 16 others, of Austin, Minn., against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Evidence to accompany the special bill for the relief of Lewis Belt, private, Company I, One hundred and twenty-sixth Regiment Ohio Volunteer Infantry, of Newark, Ohio (H. R. 20120), for relief of veterans whose hearing is defective; to the Committee on Invalid Pensions.

Also, petition of H. M. Horn and 6 other citizens of Newark, Ohio, against enactment of interstate-commerce liquor legislation; to the Committee on the Judiciary.

By Mr. BARNHART: Resolution of Charles W. Howell Post, Grand Army of the Republic, of Goshen, Ind., favoring Sherwood bill (H. R. 14070), in favor of increase of pensions for veterans whose hearing is defective; to the Committee on Invalid Pensions.

Also, petition of Local No. 335, of Elkhart, Ind., favoring passage of House bill 22339, against stop-watch method of estimating earning ability of Government clerks; to the Committee on Labor.

By Mr. BARTHOLDT: Petition of Sales Managers' Association of St. Louis, Mo., favoring strengthening the levees in Mississippi Valley; to the Committee on Rivers and Harbors.

Also, petition of University of Missouri, of Rolla, Mo., in favor of House bill 6304, providing for Federal support of State mining schools; to the Committee on Mines and Mining.

Also, petition of Local Union No. 1011, of Carpenters and Joiners of America, and 26 citizens of St. Louis, Mo., favoring bill prohibiting the stop watch in Government service; to the Committee on Labor.

Also, petition of American League of Associations, of Washington, D. C., against parcel-post system, and Bircher Heights Improvement Association and Tait-Nordmeyer Engineering Co., of St. Louis, Mo., favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, petition of St. Louis Retail Hardware Dealers' Association, the Henry Heil Chemical Co., and C. H. Verbarb Boiler and Sheet Iron Works, of St. Louis, Mo., against passage of interstate shipment of liquor legislation; to the Committee on the Judiciary.

Also, petition of the Wesco Supply Co. and Filsinger-Boette Shoe Co., of St. Louis, Mo., against passage of House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petition of 14 Polish societies of St. Louis, Mo., against the illiteracy test of immigrants; to the Committee on Immigration and Naturalization.

Also, petition of United Government Workers of America, of St. Louis, Mo., favoring building one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. BLACKMON: Petitions of merchants of Calera and Clanton, Ala., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. BRANTLEY: Petition of citizens of Douglas, Ga., favoring passage of House bill 22339, the anti-Taylor system bill; to the Committee on the Judiciary.

Also, resolutions of Waycross (Ga.) Board of Trade, on Panama Canal machinery and organization, and Savannah (Ga.) Cotton Exchange on Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

By Mr. CALDER: Petitions of the Janesville Iron Works Co., of Hazleton, Pa.; the Deane Steam Pump Co., of Holyoke, Mass.; the Snow Steam Pump Works, of Buffalo, N. Y.; and Henry R. Worthington, of Harrison, N. J., relative to operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, petitions of A. E. Anderson & Co., of Chicago, Ill.; of Nordyke & Marmon Co., of the F. W. Spacke Machine Co., of Schnull & Co., of the H. Lauter Co., and of the M. D. Allison Co., of Indianapolis, Ind., protesting against House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petition of Northern California Wholesale Grocers' Association, for enactment of House bill 4667; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Mohawk and Hudson River Humane Society, for passage of House bill 17222; to the Committee on Interstate and Foreign Commerce.

Also, petition of the New York Academy of Medicine, for legislation to promote the efficiency of the Public Health and

Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Medical Society of the State of New York, for the creation of a department of health; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Chamber of Commerce of San Diego County, remonstrating against House bills 11372 and 20576, to prohibit the towing of log rafts or lumber rafts through the open sea; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Rev. S. P. Cadman, of Brooklyn, N. Y., for refunding the Ellen M. Stone ransom; to the Committee on Claims.

Also, petition of Brotherhood of American Yeomen, for a certain amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of Thomas H. Gray, of Brooklyn, N. Y., protesting against legislation to prevent the manufacturer from regulating the retail price of his article; to the Committee on Patents.

Also, petition of North Side Board of Trade, in the city of New York, favoring passage of bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. DAVIS of West Virginia: Petitions of sundry citizens of Wheeling, W. Va., praying for the speedy passage of House bill 16214; to the Committee on the Judiciary.

By Mr. DYER: Petition of the J. I. Case Threshing Machine Co. and the Missouri Motor Car Co., of St. Louis, Mo., favoring building Lincoln memorial road from Washington to Chickamauga Park, etc.; to the Committee on the Library.

Also, petition of joint advisory board, Cigar Makers' Unions Nos. 44 and 281, St. Louis, Mo., favoring passage of House bill 17253, known as the Relly free-smoker bill; to the Committee on Ways and Means.

Also, petition of Associated Fraternities of America, favoring passage of the Dodds amendment to the House postal appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of the International Brotherhood of Locomotive Engineers of the State of Missouri, favoring the passage of the employers' liability bill (H. R. 20487); to the Committee on the Judiciary.

By Mr. ESCH: Petition of Winfield Scott Post, No. 104, Grand Army of the Republic, of Wisconsin, favoring the passage of House bill 14070, for relief of veterans whose hearing is defective; to the Committee on Invalid Pensions.

By Mr. FERGUSON: Petition of citizens of New Mexico, favoring the passage of the bill to build a road from Questa to Elizabethtown, N. Mex.; to the Committee on Agriculture.

By Mr. FORNES: Memorial of the directors of the port of Boston, concerning a proposed amendment to the interstate-commerce act; to the Committee on Interstate and Foreign Commerce.

Also, petition of A. R. Talbot, president Associated Fraternities of America, for amending the postal laws so as to give certain postal privileges to publications of fraternal insurance societies; to the Committee on the Post Office and Post Roads.

Also, petitions of Henry Siegel, Frank E. Vogel, and the Retail Dry Goods Association, of the city of New York, for amendment to the Post Office appropriation bill providing for a general parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of Baptist Young People's Union, of Illinois, favoring the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of Associated Fraternities of America, favoring the passage of the Dodds amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of Union Foundry & Machine Co., of Rockford, Ill., in opposition to the passage of the Bartlett anti-injunction bill; to the Committee on the Judiciary.

Also, petition of A. G. Crutchmer, of Okmulgee, Okla., favoring the passage of House bill 1339, with certain amendments; to the Committee on Invalid Pensions.

By Mr. GUERNSEY: Petition of citizens of Sanford, Me., against passage of Senate bill 1, for establishment of national bureau of health at Washington, D. C.; to the Committee on Interstate and Foreign Commerce.

Also, petition of Buxton Grange, No. 95, Patrons of Husbandry, Buxton, Me., urging passage of House bill 19133, for system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMMOND: Petition of August W. Ahl and 11 others, of Lewisville, Minn., against extension of a parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. HARRISON of Mississippi: Petitions of citizens of Lumberton, Pascagoula, Moss Point, Gulfport, Ocean Springs, and Biloxi, Miss., favoring the enactment of laws regulating express and postal rates; to the Committee on Interstate and Foreign Commerce.

Also, petitions of citizens of Lumberton, Moss Point, Pascagoula, Gulfport, Biloxi, and Ocean Springs, Miss., against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. HARTMAN: Petition of Logan Valley Grange, No. 664, Patrons of Husbandry, State of Pennsylvania, favoring passage of House bill 19133, for Government system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYDEN: Petition of citizens of Arizona, against passage of general parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. HELGESEN: Petition of North Dakota farmers, favoring passage of parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of North Dakota citizens, against passage of any parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. KINDRED: Petition of North Side Board of Trade, in the city of New York, favoring improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. LINDSAY: Petition of Associated Fraternities of America, favoring passage of Dodds amendment to the House postal appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petitions of Henry Siegel, of New York; Frank E. Vogel, of Brooklyn, N. Y.; and Retail Dry Goods Association of New York City, favoring passage of limited parcel post; to the Committee on the Post Office and Post Roads.

By Mr. MCCOY: Petition of Bank of New York, favoring immediate action on emergency bill to repair the levees along the Mississippi River; to the Committee on Rivers and Harbors.

Also, petition of the Bergen County Pomona Grange, No. 11, of Preakness, N. J., favoring passage of parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of New Jersey State Grange, favoring passage of House bill 19133, relating to postal express; to the Committee on Interstate and Foreign Commerce.

Also, petition of Metal Polishers' Union, of Newark N. J., and United Brotherhood of Carpenters and Joiners of America, of Belleville, N. J., favoring passage of House bill 22339, prohibiting use of stop watch for Government employees; to the Committee on Labor.

Also, resolution of registration committee of the Amateur Athletic Union, held in New York City April 4, 1912, favoring appointment of a commissioner to represent the United States Government at the coming Olympian championships; to the Committee on Foreign Affairs.

By Mr. MARTIN of South Dakota: Petition of Black Hills Presbytery at Rapid City, S. Dak., favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. NYE: Resolution of Minneapolis Civic and Commerce Association, favoring legislation providing for mental examination of immigrants; to the Committee on Immigration and Naturalization.

By Mr. REILLY: Petition of citizens of Chatham, Middlesex County, Conn., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Petition of 33 citizens of Allen, Mich., protesting against House bill 9433; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Petition of Associated Fraternities of America, of Lincoln, Nebr., favoring passage of Dodds amendment; to the Committee on the Post Office and Post Roads.

By Mr. TILSON: Petitions of Dudley & Beckwith, of Guilford; Manufacturers' Association, of Hartford County; and the International Silver Co., of Meriden, Conn., protesting against proposed legislation to deprive a manufacturer from fixing and enforcing retail prices on his patented articles; to the Committee on Patents.

By Mr. TOWNER: Petition of 25 citizens of Hamburg, Iowa, protesting against the enactment of the proposed parcel-post law; to the Committee on the Post Office and Post Roads.

By Mr. UTTER: Petition of the Chamber of Commerce of San Diego County, Cal., against House bills 11372 and 20576, prohibiting the towing of log rafts or lumber rafts through the open sea; to the Committee on the Merchant Marine and Fisheries.

Also, joint resolution of the city council of Providence, R. I., for enactment of new Federal laws to secure the highest pos-

sible protection for American travelers upon the oceans or the other great waterways of the world; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Rhode Island Society for the Prevention of Cruelty to Animals, favoring passage of House bill 17222; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of the State of Rhode Island, favoring passage of House bill 22339 and Senate bill 6172, the anti-Taylor system bills; to the Committee on Labor.

By Mr. WILSON of New York: Memorial of P. T. Rowe, bishop of Alaska, relative to conditions among the natives of Alaska; to the Committee on the Territories.

Also, resolution of North Side Board of Trade, in the city of New York, favoring improvement of Bronx Kills, Harlem River, and East River at New York City; to the Committee on Rivers and Harbors.

Also, petitions of the Brotherhood of Railroad Trainmen, Cleveland, Ohio; of the Farm Journal, of Philadelphia, Pa.; of Sovereign Camp, Woodmen of the World, Omaha, Nebr.; of the National Council of the Knights and Ladies of Security, Topeka, Kans.; of the Ladies of the Modern Maccabees, of Port Huron, Mich.; of the Modern Brotherhood of America, Mason City, Iowa; of the Ancient Order United Workmen, of Des Moines, Iowa; of the Woodmen of the World, Dallas, Tex.; of the Associated Fraternities of America, of Lincoln, Nebr.; of the Catholic Order of Foresters, Chicago, Ill.; of the Supreme Conclave, Improved Order Heptasophs, Baltimore, Md.; and of the Supreme Tribe of Ben Hur, Crawfordsville, Ind., favoring passage of Dodds amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of Kings Highway Board of Trade, Brooklyn, N. Y., favoring building one battleship at the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, petition of South Side Republican Club, of Brooklyn, N. Y., favoring passage of letter carriers' pension bill (H. R. 9242); to the Committee on Reform in the Civil Service.

SENATE.

WEDNESDAY, May 1, 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.

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:

Richard G. Davenport, brother and sole heir at law of Thomas Corbin Davenport, deceased, *v.* United States (S. Doc. No. 622);

Thomas Addington *v.* United States (S. Doc. No. 639);

Elizabeth Sharp, widow of John Sharp, deceased, *v.* United States (S. Doc. No. 638);

Amanda Steadman, widow of Leonard Steadman, deceased, *v.* United States (S. Doc. No. 637);

Mary E. Smith, widow of Albert J. Smith, deceased, *v.* United States (S. Doc. No. 636);

Thomas J. Smith *v.* United States (S. Doc. No. 635);

Courtland D. Slow *v.* United States (S. Doc. No. 634);

Adelaide B. Slaughter, widow of William B. Slaughter, *v.* United States (S. Doc. No. 633);

Cornelia Skofstad, widow of Albert Skofstad, deceased, *v.* United States (S. Doc. No. 632);

Frances Stackpole, widow of Thomas Stackpole, deceased, *v.* United States (S. Doc. No. 631);

Joseph Stanton *v.* United States (S. Doc. No. 629);

Harriet E. Stevens, widow of George C. Stevens, deceased, *v.* United States (S. Doc. No. 630);

Lucinda E. Lancaster, widow of James Lancaster, deceased, *v.* United States (S. Doc. No. 628);

David Murphy *v.* United States (S. Doc. No. 627);

William H. Mickle *v.* United States (S. Doc. No. 626);

Louise S. Palmer, widow of Gustavus M. Palmer, deceased, *v.* United States (S. Doc. No. 625);

Elizabeth M. Rush, widow of David Rush, deceased, *v.* United States (S. Doc. No. 624); and

Helen E. Sturtevant, widow of Josiah H. Sturtevant, deceased, *v.* United States (S. Doc. No. 623).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.