Also, memorial of the board of directors of the Merchants' Exchange of St. Louis, Mo., favoring passage of Senate bill 6810, known as the Pomerene Senate substitute bill; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: Memorial of the Board of Directors of the Merchants' Exchange of St. Louis, Mo., favoring passage of Senate bill 6810, known as the Pomerene Senate substitute bill; to the Committee on Immigration and Naturalization.

By Mr. CULLOM: Papers to accompany bill granting an increase of pension to Elizabeth Lane; to the Committee on Invalid Pensions.

By Mr. DYER: Memorial of the Board of Directors of the Merchants' Exchange of St. Louis, Mo., favoring passage of Senate bill 6810, known as the Pomerene Senate substitute bill; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER: Petition of the Washington Chamber of Commerce, concerning legislation for the District of Columbia; to the Committee on the District of Columbia.

By Mr. KINKEAD of New Jersey: Petition of William C. Meehan, of Jersey City, N. J., favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. ROBINSON: Papers to accompany House bill 2435; to the Committee on the Judiciary.

By Mr. BABBITT: Memorial of Odessa Unter Varlin, of Chicago, Ill., against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. PIERCE: Resolution of the Ohio State Board of Trade Relations in the Department of State and asking an appropriation therefor; to the Committee on Appropriations.

SEPTENDE.

THURSDAY, July 18, 1912.

The Senate met at 11 o'clock a. 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 the request of Mr. ROSS, the printing press was not in working order; therefore, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 21049) to create a Committee on Industrial Relations, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 3815) to amend an act entitled "An act to require apparatus and operators for radio communication and receiving.

The message further requested the Senate to furnish the House with a duplicate engrossed copy of the bill (S. 2748) for the relief of Clara Dougherty, Ernest Knobel, and Josephine Taylor, owners of lot No. 13; of Ernest Kehl, owner of lot No. 41; and of Mary Meder, owner of the south 17.10 feet front, by the full depth thereof of lot No. 14, all of said property in square No. 774, in Washington, D. C., with regard to assessment and payment for damages on account of change of grade due to the construction of Union Station in said District, of the original having been lost or mislaid. (H. Res. 634.)

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore (Mr. GALLINGER) presented a resolution adopted by the Wholesale Grass Seed Dealers Association Convention, held at Chicago, Ill., June 25, 1912, favoring the enactment of legislation to prohibit the admission of certain adulterated seeds and seeds unfit for seeding purposes. (H. Res. 2748.)

The resolution, which was ordered to lie on the table.

Mr. PERKINS. I present a large number of petitions in the forms of telegrams signed by 800 members of the Chamber of Commerce of Los Angeles and other representative citizens of California, praying that legislation as to toils on American vessels passing through the Panama Canal shall be such as to insure free competition, and remonstrating against any action which would limit an American vessel, irrespective of owner, ship, in the amount of coastwise cargo which shall be carried in transoceanic trade, and declaring dangerous and unjust the concluding provision of paragraph 1, section 11, of the canal bill, which reads as follows:

"That no such railroad owned or controlled ship shall pass through the canal unless at least 50 per cent. of its cargo, in tonnage, is destined to or shipped from or to the United States."
reported it with amendments and submitted a report (No. 945) thereon.

Mr. HEIBURN. In regard to the last bill reported by the Senator from California (Mr. Weeks), I would not like to have it appear that it is a unanimous report. I may file a report on behalf of those members of the committee who do not agree to the bill.

Mr. SMOOT, from the Committee on Printing, to which was referred S. Res. No. 326, submitted by Mr. SMITH of Michigan on the 13th instant, for the printing of 15,000 additional copies of Senate Document No. 806, Sixty-second Congress, second session, reported it with an amendment.

Mr. MARTIN of Virginia, from the Committee on Claims, to which was referred the bill (H. R. 4512) for the relief of Mary Beach, reported it without amendment and submitted a report (No. 946) thereon.

He also, from the Committee on Commerce, to which was referred the bill (S. 6763) to authorize the cities of Bangor and Brewer, Me., to construct or reconstruct, wholly or in part, and maintain and operate a bridge across the Penobscot River, between said cities, without a draw, reported it with an amendment and submitted a report (No. 947) thereon.

Mr. CLARK of Wyoming, from the Committee on the Judiciary, to which was referred the bill (S. 7252) to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported it without amendment.

Mr. NELSON, from the Committee on Commerce, to which was referred the bill (H. R. 21963) to make Fort Covington, N. Y., a port of entry, reported it without amendment and submitted a report (No. 948) thereon.

Mr. CULBERSON, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 11145) to provide for the acquisition of the property necessary for the erection of the Proposed Hotel and Grounds, to which was referred the bill (H. R. 11147) to authorize the construction of a building on the site to be selected for said station, I ask for the present consideration of the bill?

Mr. LOVERMAN. I do not hear the amount appropriated.

Mr. LOVERMAN. I am not going to object to the consideration of the bill, but I did understand that the money is to be paid out of the immigrant fund.

Mr. LODGE. The immigrant fund was abolished some years ago.

Mr. OVERMAN. That is what I understood.

Mr. LODGE. It is to be paid out of any money in the Treasury not otherwise appropriated.

Mr. OVERMAN. I understand that the immigrant fund is now covered into the Treasury.

Mr. LODGE. It is now covered into the Treasury.

Mr. WARR. Reserving the right to object if the bill leads to any debate, I will consent to its consideration.

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

The Senate, by unanimous consent, proceeded to consider the bill, but I will feel constrained to object to the continuous passage of bills in the morning hour. I do not think we ought to transact all our business in the morning hour. I shall not object to the consideration of this bill, but I will feel constrained to object to the continuous passage of bills in the morning hour.

The PRESIDENT pro tempore. The bill will be read for the information of the Senate.

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

Mr. CULBERSON. I did not hear the amount appropriated.

Mr. CULBERSON. The bill was reported to the Senate as amended, and the amendments were concurred in.

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

Mr. CLAPP. Some weeks ago the Committee on Pacific Islands and Porto Rico reported the bill (H. R. 11628) authorizing the corps of engineers to construct work on Polynesian Islands, and the matter was referred to the Committee on Public Works, to which was referred the bill (H. R. 11628) authorizing the corps of engineers to construct work on Polynesian Islands.

Mr. SMOOT. From the Committee on Printing I report back Senate resolution 355, submitted by the Senator from Michigan [Mr. SMITH] on the 13th instant, with an amendment to strike out all after the resolving clause and insert a substitute, I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was to strike out all after the resolving clause and insert:

"The 500 additional copies of Senate Document No. 754, Sixty-second Congress, second session. Hearings on the Titanic Disaster, be printed for the use of the Senate folding room.

The amendment as amended was agreed to.

PUBLIC BUILDING AT FORT FAIRFIELD, ME.

Mr. SWANSON. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (S. 6506) to provide for the purchase of a site and the erection of a public building thereon in the town of Fort Fairfield, in the State of Maine (S. Rep. 943), and I ask unanimous consent for its immediate consideration.

Mr. WAIRREN. Mr. President, I do not think we ought to transact all our business in the morning hour. I shall not object to the consideration of this bill, but I will feel constrained to object to the continuous passage of bills in the morning hour.

The PRESIDENT pro tempore. The bill will be read for the information of the Senate.

The Secretary read the bill as follows:

"Be it enacted, that the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, not to exceed the sum of $80,000, to accommodate and care for immigrants arriving at said place.

Sec. 2. That the sum of $250,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the erection of a public building on the site to be selected, and said sum shall include purchase of land and dock room necessary for said building, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post office.

The amendments were agreed to.

Mr. CLAPP. Some weeks ago the Committee on Pacific Islands and Porto Rico reported the bill (H. R. 11628) authorizing the corps of engineers to construct work on Polynesian Islands.

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The PRESIDENT pro tempore. The bill will be read for the information of the Senate.

The Secretary read the bill as follows:

"Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, not to exceed the sum of $80,000, to accommodate and care for immigrants arriving at said place.

Sec. 2. That the sum of $250,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the erection of a public building on the site to be selected, and said sum shall include purchase of land and dock room necessary for said building, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post office.

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The amendment as amended was agreed to.

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Mr. WAIRREN. Mr. President, I do not think we ought to transact all our business in the morning hour. I shall not object to the consideration of this bill, but I will feel constrained to object to the continuous passage of bills in the morning hour.

The PRESIDENT pro tempore. The bill will be read for the information of the Senate.

The Secretary read the bill as follows:

"Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, not to exceed the sum of $80,000, to accommodate and care for immigrants arriving at said place.

Sec. 2. That the sum of $250,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the erection of a public building on the site to be selected, and said sum shall include purchase of land and dock room necessary for said building, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post office.

The amendments were agreed to.

Mr. CLAPP. Some weeks ago the Committee on Pacific Islands and Porto Rico reported the bill (H. R. 11628) authorizing the corps of engineers to construct work on Polynesian Islands.
AN AMENDMENT of the Navy shall be eligible for appointment as lighthouse keepers upon work relating to the establishment of changes in the position of the lighthouse or the need for a lighthouse. The amendment was ordered to be proposed by him to the Committee on Military Affairs.

A bill (S. 7310) granting a pension to James Murphy; to the Committee on Pensions.

By Mr. MARTIN of Virginia: A bill (S. 7332) granting a pension to R. H. Catlett (with accompanying paper); to the Committee on Pensions.

By Mr. GUGGENHEIM: A bill (S. 7333) granting an increase of pension to George W. Cook; to the Committee on Pensions.

By Mr. PAYNER: A bill (S. 7334) for the relief of Elijah Watts (with accompanying paper); to the Committee on Military Affairs.

By Mr. SIBLEY: A bill (S. 7335) giving him (with accompanying paper); to the Committee on Claims.

AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL (H. R. 25069).

Mr. CHAMBERLAIN submitted an amendment proposing to appropriate $10,000 for additional cost of the post-office building at Albany, Ore., intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and to be printed.

Mr. SMITH of Michigan submitted an amendment providing that the person employed in or under the Bureau of Lighthouses may be required to establish the changes in aids to navigation that shall have at least three years' actual service afloat in the handling and piloting of vessels, etc., intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table, and with the accompanying paper, ordered to lie on the table.

He also submitted an amendment providing that retired officers may be eligible for lighthouse appointments, lighthouse inspectors, etc., intended to be proposed by him to the sundry civil appropriation bill, which was ordered to be printed, and, with the accompanying paper, ordered to lie on the table.

The CHAIRMAN asked the question, whether it shall be printed, to the sundry civil appropriation bill, which I ask to have printed and lie on the table, for the information of the Senate I ask that it be printed in the Reconcile.

The CHAIRMAN ordered the amendments to be printed, to lie on the table, and to be printed in the Reconcile, as follows:

AMENDMENT intended to be proposed by Mr. PAYNER to the bill (H. R. 25069) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913.

"PENSION BUREAU." Three hundred thousand dollars, or so much thereof as may be necessary to employ temporarily, extra clerks by the Commissioner of Pensions to aid him in the work incident to the adjudication of pension claims filed under the act entitled "An act granting a service pension to certain defined veterans of the Civil War and the War with Mexico," approved May 11, 1912, at salaries not to exceed $1,200 each; and in order to facilitate said work the Commissioner of Pensions is authorized to employ clerks hereafter employed in other departments of the Government service, or others who may be sufficiently skilled to do the required work, without complying with the requirements of the civil-service laws; Provided, however, That none of said extra clerks shall continue in the service beyond the fiscal year of this appropriation without the legislation, or, by reason of said employment alone, be eligible for transfer to the service in other departments, or be continued longer than may be necessary to do the work hereby provided for.

Mr. SHIVELEY. I submit an amendment intended to be proposed by me to the sundry civil appropriation bill, which I ask to have printed, printed in the Reconcile, and that it lie on the table.

There being no objection, the amendment was ordered to be printed, to lie on the table, and to be printed in the Reconcile, as follows:

Amendment intended to be proposed by Mr. PAYNER to the bill (H. R. 25069) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes, viz.: On page 101, after line 8, insert the following:

"PENSION BUREAU." Three hundred thousand dollars, or so much thereof as may be necessary to employ temporarily, extra clerks by the Commissioner of Pensions to aid him in the work incident to the adjudication of pension claims filed under the act entitled "An act granting a service pension to certain defined veterans of the Civil War and the War with Mexico," approved May 11, 1912, at salaries not to exceed $1,200 each; and in order to facilitate said work the Commissioner of Pensions is authorized to employ clerks hereafter employed in other departments of the Government service, or others who may be sufficiently skilled to do the required work, without complying with the requirements of the civil-service laws; Provided, however, That none of said extra clerks shall continue in the service beyond the fiscal year of this appropriation without the legislation, or, by reason of said employment alone, be eligible for transfer to the service in other departments, or be continued longer than may be necessary to do the work hereby provided for.

Mr. SHIVELEY. I submit an amendment intended to be proposed by me to the sundry civil appropriation bill, which I ask to have printed, printed in the Reconcile, and that it lie on the table.

There being no objection, the amendment was ordered to be printed, to lie on the table, and to be printed in the Reconcile, as follows:

Provided, That no allowance or disability heretofore made shall preclude the United States or United States Volunteer Army, or his next of kin or personal representative, from applying for and receiving any pension or allowance which may be due him by decision of the United States or under a decision of the Court of Claims where no appeal is taken therefrom: And provided further, That in the settlement of claims for pay and allowances on commission of services or for the services of volunteers of militia during the Civil War the accounting officers of the Treasury shall be governed by the laws and the service laws of the United States within the meaning of the Army pay laws all service rendered from date of entry into the service to the date of muster must be established otherwise than by muster roll. Provided further, That in cases where such officer was duly promoted and appointed to fill a vacancy due to a casualty of the service at any time during the Civil War his pay shall be continued to commence from the date his predecessor's pay ceased, provided it be shown by the records or other evidence that service was rendered by such officer for which no payment has been made or compensation made for service rendered, grade thereof than paid for, and that such officer was present with his command during the time and place of said casualty, the said officer's absence, so caused by disability or capture by the enemy; all payments made as of any service added to his pay as of any pay roll is not deductible, and all laws in conflict herewith are hereby repealed.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (H. R. 25049) providing for publicity of contributions and expenditures for the purpose of influencing or securing the nomination of candidates for the offices of President and Vice President of the United States, which was referred to the Committee on the Judiciary and ordered to be printed.

WITHDRAWAL OF PAPERS-Joseph Ewing.

On motion of Mr. GUGGENHEIM, it was Ordered, That the papers accompanying S. 2507, Sixty-second Congress, first session, be withdrawn from the files of the Senate, no adverse report having been made thereon.

WITHDRAWAL OF PAPERS—George Millholland.

On motion of Mr. SHIVELEY, it was Ordered, That the papers accompanying the bill granting an increase of pension to Emma D. McManus, S. 3978, Sixty-second Congress, first session, be withdrawn from the files of the Senate, no adverse report having been made thereon.

WITHDRAWAL OF PAPERS—EEmma D. McManus.

On motion of Mr. SHIVELEY, it was Ordered, That the papers accompanying the bill granting an increase of pension to Emma D. McManus, S. 3978, Sixty-second Congress, first session, be withdrawn from the files of the Senate, no adverse report having been made thereon.

METROPOLITAN COACH CO.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 25064) to confer upon the Commissioners of the District of Columbia authority to regulate the operation and equipment of vehicles of the Metropolitan Coach Co.

Mr. JONES. I move that the Senate disagree to the amendments of the House of Representatives, ask a conference with the House on the disagreeing votes, and the conferences on the part of the Senate be appointed by the Chair.

The motion was agreed to, and the President pro tempore appointed Mr. Jones, Mr. Kenton, and Mr. Paynter confer on the part of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

The PRESIDENT pro tempore. Is there further morning business?

Mr. SIMMONS and Mr. WARREN addressed the Chair.

The PRESIDENT pro tempore. The Senator from North Carolina.

Mr. SIMMONS. I ask that the Senate proceed——

The PRESIDENT pro tempore. The morning business has not yet closed.

Mr. SIMMONS. I thought the Senate announced that the morning business was concluded.

The PRESIDENT pro tempore. Are there concurrent or other resolutions?

[Mr. MARTIN of Virginia submitted a report from the Committee on Claims and one from the Committee on Commerce, which appear under their appropriate heading.] The PRESIDENT pro tempore. Is there further morning business?

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. If not, the morning business is closed.

Mr. SIMMONS. Mr. President.

Mr. WARREN. I move to take up House bill 25069, the sundry civil appropriation bill.

The PRESIDENT pro tempore. The Senator from Wyoming asks unanimous consent to proceed to the consideration of House bill 25069, the sundry civil appropriation bill. Is there objection?

Mr. SIMMONS. Mr. President, I object.

Mr. WARREN. I move, then, that the bill be taken up.

Mr. SIMMONS. Mr. President——
The PRESIDENT pro tempore. The Chair will state the motion. The Senator from Wyoming moves that the Senate proceed to the consideration of the bill (H. R. 25069) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes. The question is on agreeing to the motion of the Senator from Wyoming.

Mr. SIMMONS. On that I ask for the yeas and nays. I wish to call up the wool bill.

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

Mr. BURNHAM (when his name was called). I have a general pair with the junior Senator from Maryland [Mr. SMITH]. I do not see that Senator in the Chamber, and I therefore withhold my vote.

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. CHILTON]. I do not know how he would vote. If he were present I would vote "yea."

Mr. THORNTON (when Mr. Foster's name was called). I wish to announce the absence of my colleague [Mr. Foster] on account of illness. He is paired with the Senator from Wyoming [Mr. WARREN]. I make this announcement for the day.

Mr. HEYBURN (when his name was called). I have a general pair with the junior Senator from Alabama [Mr. BANKHEAD]. I do not see him in the Chamber. I will therefore withhold my vote.

Mr. SANZIO (when his name was called). I am paired with the junior Senator from Indiana [Mr. KENY]. and will therefore not vote.

Mr. WILLIAMS (when his name was called). I have a pair with the Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the Senator from Illinois [Mr. SHIVEY], and will vote "yea."

The roll call was concluded.

Mr. LIPPIE. I have a pair with the senior Senator from Tennessee [Mr. LEA]. If he were here and I were at liberty to vote, I should vote "yea."

Mr. WETMORE (after having voted in the affirmative). I have a general pair with the senior Senator from Arkansas [Mr. BAXTER]. I voted inadvertently not noticing his absence, and therefore I will withdraw my vote.

Mr. CULLOM. I have a general pair with the junior Senator from West Virginia [Mr. CHILTON]. I transfer that pair to the Senator from New York [Mr. ROOF], and will vote "yea."

Mr. HEYBURN. I have a general pair with the Senator from Alabama [Mr. BANKHEAD]. I transfer that pair to the Senator from Massachusetts [Mr. CURTIS], and will vote "yea."

Mr. BRADLEY. I desire to transfer my pair with the Senator from Maryland [Mr. RAYNOR] to the senior Senator from Washington [Mr. BRANDEEGEE] (after having voted in the affirmative).

When I voted I did not notice the absence from the floor of the junior Senator from New York [Mr. O'GORMAN]. I am paired with that Senator, and therefore withdraw my vote.

Mr. CULLOM. I have a general pair with the senior Senator from West Virginia [Mr. WATSON]. As he has not voted, I withhold my vote.

Mr. MARTINE of New Jersey. I am requested to announce the pair existing between the Senator from Arkansas [Mr. DAVIS] and the Senator from Kansas [Mr. CURRIS]. I desire this announcement to stand for the day.

Mr. CHAMBERLAIN. I desire to announce that the Senator from Oklahoma [Mr. OWEN] is paired with the Senator from Nebraska [Mr. ROBINSON]. I make this announcement for the day.

The result was announced—yeas 37, nays 27, as follows:

YEAS—37.

Borah.... Cummins.... Cullom
Bourke.... Dillingham.... Crawford
Bradley.... du Pont.... Culom
Bristow.... Fall.... Colman
Burton.... Galloway.... Cullom
Catron.... Gamble.... Cullom
Clark.... Guggenheim.... Cullom
Clark, Wyo.... Heyburn.... Cullom
Crawford.... Heyburn.... Cullom
Culom.... Heyburn.... Cullom

NAYS—27.

Ashurst.... Hitchcock.... NAY
Barnhill.... Jasper.... Newlands
Bryan.... Johnston, Ala.... NAYS
Carlisle, Fla.... Jones, N. C.... NAY
Calhoun.... Martel, N. J.... NAY
Carey.... Martin, N. J.... NAY
Gardner.... Newlands.... NAY
NOT VOTING—30.

Barley.... Crane.... La Sha
Bankhead.... Curtis.... Lea
Briggs.... Dixon.... Lithgow
Briggs.... Dixon.... Owen
Burnham.... Gore.... Owens
Burnham.... Gore.... Pendleton
Burnham, Ark.... Gore.... Rayner
Burnham, Ark.... Gore.... Tillman
Chilton.... Jones.... Richardson
Clarke, Ark.... Kern.... Root

So Mr. WARREN’s motion was agreed to; and the Senate, as a Committee of the Whole, resumed the consideration of the bill (H. R. 25069) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes.

Mr. WARREN. Mr. President, if I have kept a right account, the reading of the bill on yesterday proceeded to the top of page 74. I inquire if that is correct?

The PRESIDENT pro tempore. The Chair is so informed. The Secretary will resume the reading of the bill at that point.

Mr. WARREN. Mr. President, this bill contains 200 pages and carries appropriations aggregating $115,000,000, or about that amount. I now ask unanimous consent that the Senate proceed with the consideration of the remainder of the bill without the formal reading and that the amendments of the committee may be considered as we proceed.

The PRESIDENT pro tempore. The Senator from Wyoming asks unanimous consent that the further formal reading of the bill may be dispensed with.

Mr. SIMMONS. I object.

The PRESIDENT pro tempore. The Senator from North Carolina objects. The Secretary will resume the reading of the bill at the point reached on yesterday.

The Secretary resumed the reading of the bill, beginning with line 1, page 74, and continued down to the end of line 16, on page 75.

Mr. REED. I have been trying to follow the reading of the bill, but it is so rapid and so informal that I can not understand it well enough to follow the text. I should like to inquire whether the clerk is reading.

The PRESIDENT pro tempore. The clerk has reached page 91, line 17, the Chair is informed.

Mr. REED. I should like to have the bill read so that I can follow the reading.

The reading of the bill was resumed and continued to line 21, on page 106, the last paragraph read proposing to appropriate $20,000 for the opening of Indian reservations.

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

The PRESIDENT pro tempore. The Senator will state it.

Mr. HEYBURN. At what stage will an amendment be appropriate to the portion of the bill just read?

The PRESIDENT pro tempore. The Chair would suggest that after the reading of the bill has been completed, the reading proceeding for the purpose of information to the Senate, that presumably the committee amendments will first be considered, and then amendments from the floor will be in order.

Mr. HEYBURN. As in Committee of the Whole?

The PRESIDENT pro tempore. As in Committee of the Whole.

Mr. HEYBURN. I merely wanted the Recorder at this point to show that the inquiry was made and answered by the Chair.

Mr. REED. Mr. President, the Chair states that presumably the committee amendments will first be considered. Does the Chair mean to say that that there has been any agreement or arrangement to that effect?

The PRESIDENT pro tempore. Not so far as the Chair is concerned. The Chair simply states what is the usual custom of the Senate.

Mr. REED. My reason for the inquiry was the remark of the Senator that he was making the inquiry now in order that there might be a record; and I would not want to have it go by common consent that that is to be the method. I think it may become important in the consideration of this bill whether we are to proceed that way or not.

The PRESIDENT pro tempore. The Chair will state to the Senator that no agreement has been made nor has any suggestion been made to the contrary.

Mr. REED. So, it is clear.

Mr. HEYBURN. It may be proper for me to state that I made the inquiry in view of the fact that the chairman of the committee renewed his request this morning with reference to the consideration of committee amendments and asked for unanimous consent; and I thought it right that this proceeding should contain some record of the fact that we were proceeding under that order or rule of business.

The PRESIDENT pro tempore. The reading will continue.
The Secretary resumed the reading of the bill, and read to page 104, line 7.

Mr. STONE. Mr. President, I make the point that there is no quorum present. The President pro tempore. The Senator from Missouri makes the point that there is no quorum present. The Secretary will call the roll.

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

Ashurst, Cullum, McCumber, Shively
Bacon, Cummins, McLean, Smith, Mich.
Borah, Bingham, Martin, N. J.
Borden, du Pont, Martino, N. J.
Bradley, Brevard, McCumber, Netherland
Brandegee, Fletcher, Nelson, Swanson
Briggs, Gallinger, Newlands, Thornton
Bryan, Overman, Pancoast, Tilden
Burham, Groona, Page, Townsend
Carr, Hepburn, Perry, Warren
Clapp, Johnston, Ala., Perkins, Wetmore
Clark, Wyo., Jenkins, Poindexter, Works
Cranes, Keyser, Pomerene
Crawford, La Follette, Root
Colberson, Lodge, Sanders

Mr. SHIVELY. I desire to state that my colleague [Mr. KEAN] is unavoidably absent from the Chamber, and that he is paired with the junior Senator from Nebraska [Mr. SANDERS]. I wish this statement to stand for the day.

The President pro tempore. Fifty-seven Senators have answered to their names. A quorum of the Senate is present. The roll call will be proceeded with.

The Secretary resumed the reading of the bill, at page 121, line 6, and read to page 161, line 11.

THE PANAMA CANAL.

The President pro tempore. The hour of 1 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business which will be considered.

The Secretary. A bill (H. R. 21909) to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone.

Mr. BRANDEGEE. I ask unanimous consent that the unfinished business be temporarily laid aside that the pending appropriation bill may be proceeded with.

The President pro tempore. The Secretary from Connecticut asks unanimous consent that the unfinished business be temporarily laid aside.

Mr. SIMMONS. Mr. President, I object to the President pro tempore. The Senator from North Carolina objects, and the unfinished business is before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 21909) to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone.

Mr. BRANDEGEE. Mr. President, the day or two ago in the discussion of the select bill the junior Senator from New York [Mr. ROOR] in giving his views as to the construction of the treaty and the consequences involved in a possible award of The Hague tribunal against the United States, advocated by the junior Senator from New York [Mr. O'GORMAN], stated that if the decision of The Hague tribunal should be against the contention that we could exempt our domestic coastwise shipping from tolls then we would be under obligation to repay to the foreign ships from which we had collected it all the tolls collected during the time between the opening of the canal and the decision. The question was raised, I think, by the Senator from South Dakota [Mr. CALWORN] as to the possible amount of those tolls. There was no definite information in the testimony at that time about it, although the special commissioner appointed by the President in relation to matters concerning the Panama Canal had estimated that in round numbers in 1915 the total annual tonnage through the canal would be something like 10,250,000 tons. Of course at a dollar a ton, which has been the rate of tolls, this has been most talked about as being a fair rate, that would be a collection of ten and a quarter million dollars in tolls from vessels passing through the canal in that year.

In view of the fact that there was no more definite estimate than that, and from that statement of Prof. Johnson it was not clear what portion of the total tonnage estimated would be domestic or port to port, sometimes called coastwise tonnage, and what portion of that tonnage would come from the vessels of foreign nations, I asked him to give me the figures separately, and I send—

Mr. FLETCHER. Mr. President.

Mr. BRANDEGEE. Will the Senator excuse me just a moment? I send to the desk and ask that the Secretary may read the inclosed letter just received from him and also the table which he has prepared, after the Senator from Florida has asked the question.

Mr. FLETCHER. I wish to ask the Senator in this connection what is the estimate as to the cost of maintenance of the canal. I understand the tolls to be estimated at something like $10,000,000 a year, and a quota of the expenses will be charged against the tolls. Outside of interest on the money invested there, I should like to inquire what estimate there is as to the actual expense of maintenance.

Mr. BRANDEGEE. I will give the Senator those figures as soon as this letter has been read.

The President pro tempore. The Secretary will read, as requested.

The Secretary read as follows:

ISTHMIAN CANAL COMMISSION.

Senator FRANK B. BRANDEGEE, Washington Office, July 17, 1912.

Mr. Djar Senator Brandegge: I inclose a memorandum separating into three divisions the estimated tonnage of shipping that will use the Panama Canal in 1915, 1920, and 1925. The tonnage for each year is divided into (1) American shipping employed through the canal in the coastwise trade, (2) American shipping in carrying through the canal foreign commerce of the United States, and (3) foreign shipping using the canal to carry the foreign commerce of the United States.

It will be seen from the memorandum that about four-fifths of the tonnage of the ships using the Panama Canal will be under foreign flags.

Very truly yours,

[Signature]

EMORY R. JOHNSON.

Classification of estimated shipping using the Panama Canal in 1915, 1920, and 1925.

<table>
<thead>
<tr>
<th>Year</th>
<th>Domestic</th>
<th>Foreign</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1915</td>
<td>1,000,000</td>
<td>2,000,000</td>
<td>3,000,000</td>
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<tr>
<td>1920</td>
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<tr>
<td>1925</td>
<td>1,628,000</td>
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Coast-to-coast American shipping

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<th>Year</th>
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<th>Total</th>
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</thead>
<tbody>
<tr>
<td>1915</td>
<td>715,000</td>
<td>1,120,000</td>
<td>1,835,000</td>
</tr>
<tr>
<td>1920</td>
<td>906,000</td>
<td>1,120,000</td>
<td>2,026,000</td>
</tr>
<tr>
<td>1925</td>
<td>1,100,000</td>
<td>1,120,000</td>
<td>2,220,000</td>
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</table>

American shipping carrying foreign commerce of the United States

<table>
<thead>
<tr>
<th>Year</th>
<th>Domestic</th>
<th>Foreign</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1915</td>
<td>715,000</td>
<td>1,120,000</td>
<td>1,835,000</td>
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<td>1925</td>
<td>1,100,000</td>
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<td>2,220,000</td>
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Foreign shipping carrying commerce of the United States and foreign countries

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<td>24,525,000</td>
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<td>1925</td>
<td>13,850,000</td>
<td>13,500,000</td>
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Total

<table>
<thead>
<tr>
<th>Year</th>
<th>Domestic</th>
<th>Foreign</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1915</td>
<td>16,330,000</td>
<td>15,344,000</td>
<td>31,674,000</td>
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<tr>
<td>1920</td>
<td>21,439,000</td>
<td>26,526,000</td>
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<tr>
<td>1925</td>
<td>27,575,000</td>
<td>27,050,000</td>
<td>54,625,000</td>
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</table>

Mr. STONE. Mr. President, I should like to ask the Senator from Connecticut if he is advised upon what authentic data the author of this letter predicates that table. Is it a more estimate or mere guess, or has he something tangible upon which to make the estimate?

Mr. BRANDEGEE. I think that is a very pertinent inquiry, Mr. President. The fact is that this gentleman, who is especially competent as an investigator along these lines, a political economist and expert on trade conditions, occupies a chair in the University of Pennsylvania. He is the same Dr. John­son who was employed by the company of foreign countries with which this company had when it was first opened, the percentage of the ocean-borne commerce that was done by steam vessels as compared with sailing vessels. It is the same Dr. Johnson who, years ago, investigated the same matters contained in his present report and who brought them down to 1909, perhaps, that I think was the date. It may have been 1905. At any rate the gentleman who appointed him to carry his work and bring it down to date.

I do not think that the estimates are mere guesses. Of course they are estimates of conditions that have not yet arisen, and it must be kept in mind that we are not dealing with the estimates of conditions that have not yet arisen, and that we are not making conclusions from all the evidence that he could get access to. He has made—

Mr. STONE. If the Senator will pardon me—

The President pro tempore. Does the Senator from Connecticut yield to the Senator from Missouri?

Mr. BRANDEGEE. Certainly.

Mr. STONE. Does Dr. Johnson undertake to inform the Chairman of the committee of the sources of information upon which he predicates this table?

Mr. BRANDEGEE. When the Senator asked his last question I was about to say that his estimates are based upon ex­haustive investigations both here and in the commercial centers and seaports of the world as to the actual movements of vessels during long periods of time in the past and as to the present and future of the Suez Canal. All the facts and figures that he has shown with regard to the amount of business the Suez Canal had when it was first opened, the percentage of the ocean-borne commerce that was done by steam vessels as compared with sailing vessels, the increase in the tonnage of the tonnage through the canal and the comparison of that tonnage with the tonnage through all the other canals of the world, the rates of toll charged when the Suez Canal was made, all the estimates and expectations that were held by experts at that time as to what that traffic would develop—all those things have been methodically compiled. The entire report has not yet been completed or printed. It was designed, in my opinion, not so much for the use of Congress—because at that time I do not think it was expected that Congress would attempt to fix the tolls—but it was designed, I assume, for the
Iowa. stating the probable revenue. I only want to ask whether the minority of the committee in the

Senator that I was reading an extract from the views of military occupation, I assume. 

moment ago returned to that effect. I simply read it from that document for canal purposes, but to denude it so far as possible of

Connecticut yield to the Senator from Iowa?

necessary sanitation on that portion of the zone which will

the investigation has been exceedingly thorough. But like

course, no more importance

would necessitate the results of his investigation upon

an additional 500,000,000. We have had some discussion here, particularly from the Senator from New York [Mr. Root] who led off in it—and I think his view was concurred in by others—that if free tos so-called should be admitted to American vess-

els passing through the canal, and the question raised by that should be referred to The Hague court and decided against us, we would have to refund to vessels of other countries passing through the canal in the interval between the opening and the decision of the court whatever had been collected. There was a question raised before the Senate as to the probable amount that would have to be refunded, if refunded at all. I think the Senator from Iowa [Mr. Cummins] suggested that it would exceed $15,000,000 or $20,000,000.

The Senator from New York insisted that a hearing of this im-

portance between these two great nations and a controversy of this character before that court would probably require 5 or 6 years, in its consideration. In his opinion it could not be reached. Now, if Prof. Johnson's estimate is correct, it will be much more than that and much more than the amount suggested by the Senator from Iowa. It is important to know, for if we are not correct, something about the accuracy of this estimate in that view of the case.

Mr. Cummins, Mr. President—

Mr. Stone. Just a moment, if the Senator pleases. I took the table a moment ago and attempted to strike an average between the extremes; that is to say, an average between the estimated revenue to be received in 1915 and the estimated revenue to be received in 1923, covering a period of 10 years, and the average, as I make it (I am certainly approximately correct), would be $10,200,000 annually. If it would require five years to dispose of this arbitration before the court at least $50,000,000 has been collected amounting to $150,000,000. I suppose from that ought to be deducted the amount contained in the table, as the amount that would be collected from American vessels going through, with the tolls imposed upon them as upon foreign vessels, but that is comparatively small, as stated by Dr. Johnson. The amount we would have to refund at the end of five years, if that estimate is correct, would be in the neighborhood of $50,000,000.

Mr. Cummins. Mr. President—The President pro tempore. Does the Senator from Connecticut yield to the Senator from Iowa?

Mr. Brandegee. Yes.

Mr. Cummins. In making the estimate I did not give full reliance to the estimate of Dr. Johnson. I think he is rather sanguine with regard to the volume of business that will pass through the canal in the next four or five years. Also, the Senator from Missouri will remember, said that controversy, if it goes to The Hague, to which I do not agree, should be settled within from three to five years, and that therefore, in my opinion, the
extreme amount we would be called upon to pay would be more than $25,000,000.

Of course the same with the same volume of business will pass through this canal, as I will endeavor to show when I come to consider the question of tolls. It depends entirely upon the action of our competitors as to what business will pass through the canal.

Mr. NELSON. Mr. President.

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Minnesota?

Mr. BANCROFT. Certainly.

WATER AND HARBOR APPROPRIATION BILL.

Mr. NELSON. I desire to present and move the adoption of the conference report on the river and harbor bill, and if it is necessary to make a request in connection with it, I ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER (Mr. Smith of Michigan in the chair). The Senator from Minnesota presents a conference report, which will be read by the Secretary.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2147) to improve navigation by construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, and after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 12, 28, 35, 88, 106, 107, 108, 183, 184, 185, 186, 188.

That the amendment stricken out of the language proposed insert the following: "Provided, That the provisions of section 11 of the river and harbor act of March 3, 1899, are hereby made applicable to the Potomac and Anacostia Rivers, and hereafter in the District of Columbia, or elsewhere on said rivers, shall be established or modified as therein provided; and all laws or parts of laws inconsistent with the proviso are hereby repealed. Provided further, That the proviso hereafter the officer in charge of the improvement shall have authority, with approval of the Chief of Engineers, United States Army, when no public building is available, to rent such public buildings necessary to make a request in connection with it, I ask that the unfinished business be temporarily laid aside.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Provided, That the proviso in the act of June 3, 1896, entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' under the item 'Improving Potomac River, Washington, D. C.' is hereby repealed;" and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "One thousand dollars; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In the proviso in the House amendment numbered 6, the words "one hundred thousand dollars," and insert in lieu thereof the words "three hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "That the provision in the House amendment numbered 5, and the Senate amendment numbered 112, is hereby expressly repealed. Provided, That the said provision is hereby so amended as to vest in the South Mobile Terminal Co. its property, assigns, all the rights, privileges, and authority hereby granted to the said Louis M. Tisdale, subject to all the terms and conditions of said act, upon full and complete assignment and transfer of all such rights, privileges, and authority of said Tisdale to the said South Mobile Terminal Co.;" and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "That the Secretary of War may appoint a board of three engineer officers, who, at the request of the United States, shall make a topographical survey of the Potomac River, and fix the points necessary for the construction of a suitable dredging plant. Provided, That said Secretary of War shall at any time prior to the execution of the said contract, transfer to the Secretary of War, for the purpose of improving the Potomac River, all lands, easements, or other rights, privileges, and authority granted to the said Louis M. Tisdale by the act of February 27, 1912, and the Senate agree to the same."
the language stricken out insert the following: “And the said board shall also report whether the waters lying between Har­bor, and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendments numbered 49, 50, 51, 52: That the House recede from its disagreement to the amendments of the Senate numbered 49, 50, 51, 52, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of all the words contained in this paragraph, after the words “hereinafter authorized, insert the following: “; and the Army and the Engineers for Rivers and Har­bors, when on duty, shall be com­puted and paid in the same way as the traveling expenses of the Army members of said commission, and of said board”; and the Senate agree to the same.
Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: Before the first word of the proposed amendment insert “Sec. 30.” and transfer the paragraph as thus amended to its proper place at the end of the bill; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the language proposed insert on page 59, in line 17, after the word “survey,” the following: “Provided further, That the Chief of Engineers may, at his discretion, increase to not exceed nine the number of engineer officers composed of the board of engineering and surveying; and the majority of said board shall be of rank not less than lieutenant colonel”; and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: Before the first word of the proposed amendment insert “Sec. 11.” and transfer the paragraph as thus amended to its proper place at the end of the bill; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: “Sec. 12. In order to make possible the economical future development of water power the Secretary of War, upon recommendation of the Chief of Engineers, may, in his discretion, provide in the permanent parts of any dam authorized at any time by Congress for the improvement of navigation such foundations, sluices, and other works, as may be considered desirable for the development of its water power.” and transfer the paragraph as thus amended to its proper place at the end of the bill; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the language proposed insert: “Buffalo Harbor, New York, with a view to increasing the width of the entrance of the inner harbor to 400 feet by removing the Government south pier at the mouth of Buffalo River; also with a view to increasing the width of Black Rock Harbor and the entrances thereinto,” and transfer the same to page 46, preceding line 1; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: “Salmon River, N. Y., at and below Fort Covington”; and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: “Paddilla Bay, Cin., near Buttermilk Bank, with a view of protecting the bank in the interests of navigation”; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: “Black River, Ark., near Buttermilk Bank, with a view of protecting the bank in the interests of navigation”; and the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: “Buffalo Harbor, New York, with a view to increasing the width of the entrance of the inner harbor to 400 feet by removing the Government south pier at the mouth of Buffalo River; also with a view to increasing the width of Black Rock Harbor and the entrances thereinto,” and transfer the same to page 46, preceding line 1; and the Senate agree to the same.

Amendment numbered 157: That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: “Channel connecting Skagit County, Wash., with Chuckwette Lake, Washington”; and the Senate agree to the same.

Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: Before the first word of the proposed amendment insert “Sec. 13.” and transfer the paragraph as thus amended to its proper place at the end of the bill; and the Senate agree to the same.

The PRESDING OFFICER. The question is on agreeing to the conference report.

Mr. NELSON. Mr. President, I desire merely to make a brief statement. The river and harbor bill when it came here from the other House carried a cash appropriation of $24,062,520.50, and $2,200,000 for continuing contracts to the amount of $26,262,520. The net reductions made were $824,160. The total of the bill as it went into conference was $24,062,520.50. The net reductions effected by the conference amounted to $824,160. Therefore, the bill in its present form, as agreed to by the conference, carries $26,262,520.50, as against $24,062,520.50. The net reduction effected by the conference was $824,160. I will say that in all the important amendments of the Senate the reductions were only in a few isolated cases that reductions were made. Wherever reductions were made in the appropriations for harbors Senators interested were consulted, and no changes were made without their consent. I hereby move the adoption of the report.

Mr. SIMMONS. Mr. President, I merely desire to ask the chairman of the Committee on Commerce if he has the figures showing the Senate increases after deducting the emergency appropriations for the Mississippi River.

Mr. NELSON. I will say that the bill as it came over from the other House carried three and a half million dollars for
the improvement of the Mississippi River; the Senate added to that an amount of $10,000,000, so that the total appropriation was
$6,000,000 for the improvement of the Mississippi River. If it
had not been for that large appropriation for the Mississippi
River arising out of the peculiar flood conditions existing this
year, the step taken in the Missouri Valley would have had a
more moderate in amount. Ordinarily in later years river and
harbor bills have carried from three to four million dollars for
the Mississippi River. This year the bill carries in round numbers $6,000,000 for improvement of a million and a half dollars was
some made some three months or more ago in a joint resolution, and that sum
was saved by the eight hundred and odd thousand dollars which
the bill was reduced in conference.

Mr. NEWLANDS. Mr. President, I should like to call the
attention of the Senator from Nevada to amendment numbered
106 to the river and harbor bill, an amendment which
passed the Senate, as follows:

Sec. 2. That the Secretary of War shall cause the Chief of Engi­
near the Army and the Board of Engineers for Rivers and Har­
ors to report to Congress, in which shall be included a preliminary report
not later than December 1, 1912, upon the saving, as well as other ad­
vantages, which can be accomplished by the adoption of the continu­
ing contract system, the rapidity with which projects should be com­
pleted by such system, and the method of utilizing such payments as
the waterways of the country may be improved uniformly in proportion to their

and the existing or probable demands of general commerce, and also report
upon methods of utilizing the income derived from the projects
previously examined and not as forth­

among which the waterways of the country shall be

of all projects heretofore adopted,

or the object sought to be attained by the amendment?

of the Senate. I ask the Senator from Minnesota what disposition was made of
that Senate amendment.

Mr. NEWLANDS. The disposition made of it was that the
House conferees refused to agree to it. The bill was in conference
for over two months. The first meeting of the conference was held on the 18th day of May, and we only finished the consid­
eration of the bill yesterday. Amendment No. 106 was the amendment which troubled the committee of conference. I can
say to the Senator from Nevada that the Senate conferees did
their utmost to obtain the amendment in the bill. We strug­
gled along with it as best we could, but finally found that the
House conferees would not yield on that point. Although we
proposed to reduce the appropriation from $100,000 to $50,000, they refused to yield; and we felt, after all the struggle, that
we could not afford to delay the bill any longer. As a matter of

in the interest of public business and in the interest of
the improvements to rivers and harbors which are now going on,
the bill ought to have been finished before the 1st of July, and I think the effect of its delay will probably cause the Gov­
ernment, in one way or another, more damage in amount than
was saved by the eight hundred and odd thousand dollars which
the Senate conferees refused to yield on that point.

I sympathize with the Senator from Nevada in his amend­
ment, and I assure him that the Senate conferees did all that

was in their power to retain the amendment in the bill. We strug­
gled along with it as best we could, but finally found that the
House conferees would not yield on that point. Although we
proposed to reduce the appropriation from $100,000 to $50,000, it seemed to make no difference; so that we have the
purpose of this amendment opposed in this conference.

What are the facts with reference to the Engineer Corps?

Mr. NEWLANDS. Mr. President, I am satisfied that the
Senate conferees made every effort to retain this amendment, which
received the approval of the entire Committee on Com­
merce of the Senate. I ask the Senator from Minnesota
whether the objection was to the amount of the appropriation
or to the object sought to be attained by the amendment?

Mr. NEWLANDS. The objection was not at all to the amount,
for the Senate conferees proposed to reduce the amount from $100,000 to
$50,000. It did not seem to make any difference. The objection
was to the substance of the amendment.

There were three objections. First, it was contended that a
part of the provisions of the amendment were already in the
existing law, and, second, that a part of it was already con­tained in certain provisions in other portions of the bill. The


the objection to the portion of it which required a reconsideration and reinvestigation
of all existing projects. That was the one thing, perhaps, more than anything else, to which objection was raised.

As to the effort to delay the work, the only effort to delay matters submitted to him in previous bills by Congress, and he
ventured the suggestion in the midst of terms—a suggestion
which I shall incorporate in the report was that if Congress
desired to plan a system of river and harbor bills, they
would aid the Secretary of the Army practically a free hand. We are now ap­
proaching the completion of that great enterprise. Yet we have
expended upon the rivers of this country a sum much larger
then has been expended upon both irrigation works and the Panama Canal without any substantial results in the betterment of our waterways as instrumentalities of transportation. They have been largely thus far the means through which money has been drawn from the Treasury to be expended in the various districts of public men. That perhaps is too severe a statement, for I realize that under the able leadership and direction of the Senator from Ohio, as chairman of the Committee of the Senate, as in Committee of the House of Representatives, improvements have been made in the methods of administration; improvements have been made by the creation of Army boards of engineers; and in the judgment upon the recommendations that were presented, and, finally, a kind of public opinion has been created in Congress to prevent the passage of any bill relating to a project which has not received the approval of the Engineer Corps of the Army and the various boards; but the result has been to accomplish what has been accomplished was a hard one, and now, when we are about to get what public opinion demands and what our party platforms demand, we are defeated by the action of the Representatives of the people.

The responsibility for this does not rest upon the country at large or upon public opinion; it does not rest upon the Executive of the Nation, either Mr. Roosevelt or Mr. Taft, both of whose hands are open to recommend in this direction; it does not rest upon the Secretary of War, whose judgment coincides with action of this kind; it does not rest upon the Engineer Corps of the Army; the Senate or the House of Representatives; but these recommendations are subject to the limitation that no enlargement of the scope of the project can be considered, so that desirable extensions of projects can not be recommended. It is believed that a similar provision or law authorizing the Chief Engineer to cause a recommendation of projects, at least those not herefore passed upon by the Board of Engineers for Rivers and Harbors, would be in the public interest. Projects reported under the provisions of law on or near March 3, 1909, in the House, of which Congress is not now in session, are unworthy of further improvement by the United States or considered by the House, of Engineers of Congress could be in the public interest, local interests could be heard, and formal report thereof made for the consideration of Congress. It would seem advisable to give connection with any such recommendation to grant authority to consider and report upon any modifications in the nature of enlargement of projects to be proposed, and to the desirability of making modifications are recommended by district officers or otherwise brought to the attention of the Executive.

If desired by Congress, for its consideration in providing for new works, reports could be submitted by the Board of Engineers for Rivers and Harbors and the Chief of Engineers upon the relative importance of the various improvements recommended as worthy of being undertaken by the United States, the order in which the works should be taken up, and the rapidity with which they should be completed, upon methods of standardization by which the waterways of the country could be improved uniformly in proportion to their capacity and to the existing or proposed demands of commerce, or even report upon a systematic scheme of such improvement embracing all waterways, whether heretofore examined and reported upon or not.

The PRESIDENT OF THE SENATE. The question is on agreeing to the amendment.

The report was agreed to.

Mr. NELSON. I ask that the statement which I send to the desk may be printed in the Record immediately following the adoption of the conference report.

The PRESIDENT OF THE SENATE. In the absence of objection, that order will be made.

The statement referred to is as follows:

Memorial of conference on rivers and harbors bill.
Cash appropriations in House bill, $24,062,520.00.
Contracts authorized, 2,006,000.00.
Total of bill as it came from House, 26,068,520.00.
Total of Senate, 25,928,300.00.
Reductions made in House items by Senate, 140,200.00.
Net increase by Senate, 7,421,300.00.
As bill came to conference, 34,483,320.00.

Senate amendments in which reductions were made.

<table>
<thead>
<tr>
<th>House bill</th>
<th>Amount to which increased in Senate</th>
<th>Amount to which reduced by conference</th>
<th>Amount of reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Follac'h Hip Channel, Mass. (No. 2)</td>
<td>New, $250,000</td>
<td>$253,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>Jamaica Bay, N, Y. (No. 8)</td>
<td>New, $200,000</td>
<td>$199,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>Bear Island, N. Y. (No. 10)</td>
<td>New, $1,500,000</td>
<td>$1,500,000</td>
<td>0</td>
</tr>
<tr>
<td>Elk River, Minn. (No. 21)</td>
<td>New, $400,000</td>
<td>$402,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>Waterway, Nolok to Devils Lake (No. 9)</td>
<td>New, $400,000</td>
<td>$399,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>Cape May Canal, Fla. (No. 34)</td>
<td>New, $300,000</td>
<td>$299,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>St. Mary's River, Mich. (No. 60)</td>
<td>New, $500,000</td>
<td>$500,000</td>
<td>0</td>
</tr>
<tr>
<td>Village River. (No. 81)</td>
<td>New, $500,000</td>
<td>$500,000</td>
<td>0</td>
</tr>
<tr>
<td>Report on continuing-contract system, etc. (No. 106)</td>
<td>New, $1,000,000</td>
<td>$1,000,000</td>
<td>0</td>
</tr>
</tbody>
</table>

Total | | | 909,100 |

Items increased by conferences.

<table>
<thead>
<tr>
<th>House bill</th>
<th>Senate bill</th>
<th>Amount increased by conferences</th>
<th>Amount of increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Examination Mississippi River (Senate amendment (No. 26)</td>
<td>New, $20,000</td>
<td>$20,000</td>
<td>$20,000</td>
</tr>
<tr>
<td>Trinity River, Tex. (No. 38)</td>
<td>New, $450,000</td>
<td>$450,000</td>
<td>0</td>
</tr>
</tbody>
</table>

Total | | | 900,000 |

House items reduced by Senate and restored by conferences.

<table>
<thead>
<tr>
<th>House bill</th>
<th>Senate bill</th>
<th>Amount restored</th>
<th>Amount of reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connecticut River above Harbors</td>
<td>New, $25,000</td>
<td>$25,000</td>
<td>0</td>
</tr>
<tr>
<td>Winyah Bay, S. C. (No. 28)</td>
<td>New, $52,000</td>
<td>$52,000</td>
<td>0</td>
</tr>
<tr>
<td>Trinity River, Tex. (No. 38)</td>
<td>New, $553,000</td>
<td>$553,000</td>
<td>0</td>
</tr>
<tr>
<td>Passaic River, N. J. (No. 12)</td>
<td>New, $5,000</td>
<td>$5,000</td>
<td>0</td>
</tr>
</tbody>
</table>

Total | | | 900,000 |

House items reduced by Senate and not restored.

<table>
<thead>
<tr>
<th>House bill</th>
<th>Senate bill</th>
<th>Amount of reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yeoughingherry River, Pa. (No. 18)</td>
<td>New, $75,000</td>
<td>$75,000</td>
</tr>
<tr>
<td>Broad Creek River, Del. (No. 19)</td>
<td>New, $14,000</td>
<td>$14,000</td>
</tr>
</tbody>
</table>

Total | | | 90,000 |

Bill as it came to conference | $24,068,520.00 |
Reduction by conferences | $999,100.00 |
Additions by conferences | $175,000.00 |
Net reduction | $84,100.00 |
Amount of bill as reported by conferences | $23,223,420.59 |
Mr. BRANDEGEE. Very well. Mr. President, it is difficult to discuss in one speech a bill of this kind in its entirety. It contains so many different subjects of great importance that it should not be discussed in a single session, and I think if we discuss its features at one time. I think it tends to distract the attention of those who want to understand each particular proposition clearly before they make up their minds to vote for it; and, as general speeches as Senators care to make upon the bill have been concluded, I think the better and more orderly way would be to ask the bill be read for amendment, and, perhaps, that the committee amendments should be filed immediately after this bill is read in its formal reading. The bill has been printed in the RECORD, and it is printed very shortly the time will arrive when I shall ask the Senate to proceed to its consideration for amendment.

One of the first questions that then will come up upon which I anticipate a difference of opinion will be whether the canal when completed shall be administered by a single officer, in the nature of a governor of the canal or of the Canal Zone, or whether that management and operation and responsibility shall be delegated to a commission. There were differences of opinion in the committee about that, the majority of the Senate committee favoring a commission of three, while I think the House committee was nearly unanimous for a single administrator.

In this connection I think, in section 5 of the bill, the question of tolls. Mr. President, of course to those who want to bestow the right of free passage through the canal upon American ships, either those engaged exclusively in the coastwise trade or also those engaged in the foreign trade, the question to which he is just alluding is a necessary part of such treaties is essential. While I have views about the treaties, those views do not enter into the determination of the question with me, because I do not want to confer free passage upon American ships in any kind. I think that is a matter we have never had to consider. I think the Canal Commission has never had it in mind, as will appear in the testimony of Col. Goethals given before various committees, both on the Isthmus and here in Washington. They have always based their estimates of the receipts of the canal upon the theory that we were to charge every vessel that went through there what was stated under the treaty to be just and reasonable price for the work done. So that while I have views about the treaties, they are merely academic questions with me, so far as my vote is concerned.

I take the view of the canal that it is a great undertaking of an international character, the Clayton-Bulwer treaty providing that it should be the joint project of Great Britain and the United States and the Hay-Pauncefote treaty eliminating Great Britain as a joint partner in the enterprise and giving us exclusive jurisdiction of the control and operation of the canal. I regard it—it being, of course, admittedly the greatest work of human hands in any age of the world's history—as having, so to speak, the rights and privileges of a nation. The Straits of Magellan approximately 4,000 miles to the northward.

It seems to me that the saving to the coastwise, the port-to-port, trade of this country, conducted by American vessels, to whom, by the increased expenditure of $400,000, together with the maintenance and armament and defense forever, the canal has been dedicated, a saving of 8,000 miles of travel and all the expense of fuel and maintenance and pay of crew involved in that shortening of time, is a sufficient to have been conferred by the General Government upon this particular interest, which already has the additional favor of an absolute monopoly in the coastwise trade.

In the case of tolls, I have the utmost charity of feeling toward any other view, toward any person who differs with me about it, do not consider that because I happen to think it is fair the • right of free passage should be given to an American citizen, that we should not charge a reasonable price for the work done. So that I favor the collection of that small, reasonable sum from these ships, which already have this exclusive market and this great advantage by reason of the day's work, much more than the Government of Great Britain takes the same view that I have. I think we have an advantage under which the commission has held and which I think prevailed until, I will not say this propaganda but this demand has arisen from those boards of trade who operate under the charter of commerce throughout the country which are naturally influenced in favor of free passage—because I have taken

that view and Great Britain takes that view later on in the construction of the treaty I do not think there is anything un-patriotic about trying to make the ships for which this is to be collected a special favor, for their benefit, pay their own way instead of asking the American people—whom it may be no special benefit, to be taxed for them, whereas in my opinion it is a special benefit to the class I have mentioned.

Mr. CHAMBERLAIN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Oregon?

Mr. BRANDEGEE. I desire to submit to the Senator whether or not the argument he is now making for charging tolls upon vessels engaged in the coastwise trade would not be fully applicable to vessels plying the Mississippi River, passing through the locks of that river, or to the traffic up and down the Columbia River or the Sacramento River or through the Great Lakes, where the Government maintains systems of canals and locks? Now, the moneys which have been appropriated from time to time by the Congress of the United States for the construction of these locks and dams and for the improvement of these rivers, and the improvement of harbors as well, is in the nature of a general tax taken from the people of the whole country, and the traffic that goes through the canal between ports on the Atlantic and ports on the Pacific has as much interest as the traffic which goes up and down the Mississippi River or any other of these streams through the canals and locks constructed by the Government.

I should like to ask the Senator from Connecticut, if the toll he is now making upon vessels plying the Suez Canal upon the theory that we were to charge every vessel upon vessels passing through the rivers and harbors of the country?

Mr. BRANDEGEE. Mr. President, that is the claim of those who believe in free passage for our American coastwise vessels. In my judgment it is not well founded, but I will say to the Senators interested in this matter that I think there is almost nothing new to be said on this subject. If Senators care to rehearse all the views which are already upon record, contained in the testimony before the House Committee on Interstate and Foreign Commerce and in the testimony before the Committee on Interc Oriental Canals of the Senate, we need not consider it, and in the volume of testimony taken by the Committee on Inter-Oceanic Canals at Ancon, in the Canal Zone, on October 28, 1911, known as Senate Document No. 191.

Mr. WORKS. The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from California?

Mr. BRANDEGEE. Certainly.

Mr. WORKS. Mr. President, the Senator from Connecticut has made a statement of the advantage that would accrue to American ships by reason of the shortening of the distance resulting from the construction of the canal. That advantage would accrue over the American people generally?

Mr. BRANDEGEE. To whatever extent they use the canal.

Mr. WORKS. Then no advantage is given American ships generally?

Mr. BRANDEGEE. I do not think so. I think it is given to all the ships that find it an advantage to go that way rather than through the Suez Canal.

Mr. WORKS. Mr. President, before I ask for your opinion upon this subject, it was my opinion until this session—and it is still my opinion, and was before this session, and I think the opinion of most people whom I have heard talk about it—that all vessels ought to be charged. The object of this legislation is to open it up, to start it. It is just as much a question of tolls as the traffic which goes up and down the Mississippi River, or any other of these streams through the canals and locks constructed by the Government.

Mr. CHAMBERLAIN and Mr. BRANDEGEE addressed the

The PRESIDING OFFICER. Does the Senator from Connecticut yield, and to which Senator?
Mr. BRANDEGEE. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. I yield to the Senator from Iowa.

Mr. CUMMINS. In view of the question put to the Senator from Oregon, I think the Senator from the Isthmus, which appear in the hearings, beginning on page 2 and going down to the bottom of page 5, as marked.

Mr. BACON. Mr. President, I would suggest that while the Senator would not take time to consider the objections

Mr. CHAMBERLAIN. Does the Senator from Iowa ask me that question?

Mr. CUMMINS. I really propounded it to the Senator from Oregon through the Senator from Connecticut.

Mr. BRANDEGEE. I pass it along.

Mr. CHAMBERLAIN. I simply say there is this great difference. Mr. President, between the two situations as put by the Senator from Iowa.

The waterways of this country, or many of them, are maintained for the purpose of regulating the rates by rail. There are projects in this country at the expenditure of vast sums by the Government which are practically not used, but ready to be used whenever it becomes necessary to utilize them for the purpose of regulating freight rates.

Now, under the Southern Exposition if vessels engaged in the coastwise trade are permitted to go through the canal free of tolls the immediate effect will be the reduction in rate on the transcontinental railways and the regulation of freight rates by the transcontinental companies, while the construction of a railroad in Alaska would have no such effect. That would be the construction of a great public improvement, for the development of a particular section of the country, as I understand, while on the Isthmus the construction of the Panama Canal is for the purpose largely of regulating transcontinental rates on freight.

Mr. President, before the committee were filled with the views and claims of all parties to this controversy, and not only both sides of this controversy, but all that could be learned from everybody who desired to appear on all the other controverted features of the bill.

I am glad to say this sort of debate we are having now in my opinion simply illustrates the almost hopelessness of trying to get anywhere on a single proposition when we are confronted with a bill involving a dozen different propositions. Of course if Senators have read this record, as the committee has heard the testimony, they have made up their minds about it. 

Another matter needing attention and anticipation is that the locks dredges can be passed into the cut, and that the ship work, the shop work, the building of the necessary ships, and the erection of the gates (the concrete needed for this purpose) can be removed more economically and to better advantage. Though the division engineer can not complete all the concrete work on the Gatun Locks by the time first estimated, and now the remaining material can be removed more economically and to better advantage. Though the division engineer can not complete all the concrete work on the Gatun Locks by the time first estimated, and now the remaining material can be removed more economically and to better advantage. Though the division engineer can not complete all the concrete work on the Gatun Locks by the time first estimated, and now the remaining material can be removed more economically and to better advantage. Though the division engineer can not complete all the concrete work on the Gatun Locks by the time first estimated, and now the remaining material can be removed more economically and to better advantage. Though the division engineer can not complete all the concrete work on the Gatun Locks by the time first estimated, and now the remaining material can be removed more economically and to better advantage. Though the division engineer can not complete all the concrete work on the Gatun Locks by the time first estimated, and now the remaining material can be removed more economically and to better advantage.

It was desirable, therefore, that legislation should be provided with-out. delay for the establishment of a toll system sufficiently flexible to permit of ready change should conditions arise to warrant such a change. If the enactment should be made on the basis of the rate, data should be prepared showing the amount of traffic that might be expected, upon which to base the rate, and rules for measuring should be formulated so as to determine the charges to be made for various vessels.

A year has elapsed since the report upon which the statements here-fore made were based, and though an increase due to slides was made in the estimated amount of material to be removed from the Culebra Cut, this increase gives no grounds for changing the date; moreover, the completion of the concrete structures can be passed into the operation, and the remaining material can be removed more economically and to better advantage. Though the division engineer can not complete all the concrete work on the Gatun Locks by the time first estimated, and now the remaining material can be removed more economically and to better advantage. Though the division engineer can not complete all the concrete work on the Gatun Locks by the time first estimated, and now the remaining material can be removed more economically and to better advantage.

I do not believe, Mr. President, that that is the understanding of the people of this country, any more than that some system ought to be changed by the legislative action of Congress, but the data of the amount of traffic that will probably use the canal and the number of ships to be determined is the subject of steps this end have been taken.

For the better need of the immediate completion of the Panama Canal and the government of the Canal Zone. These
two are intimately connected. Existing law provides for the construction of the canal; also for the exercise of the military, civil, and judicial powers necessary for the government of the Canal Zone during the period which has already elapsed.

As for that matter, I perfectly certain that Panama re­
cedes the sovereignty to the United States.

Mr. BRANDEGEE. I do not think I am.

Mr. HITCHCOCK. That was exactly the same between Co­

The Canal Zone occupies about 73 square miles, with the understanding that the cost of all improvements and the operation of the canal will be charged with its own sanitation. The reservation of the health of 9,000 while Americans in the zone to be

The PRESIDING OFFICER. Does the Senator from Con­

the greater will be the cost of the operation of the canal. Assuming that the canal is being built for the benefit of the commerce of the world, it never was yet a specie asset to the United States, and conditions may arise in which the military necessities of the Nation will become paramount. It is essential, therefore, that an entity should be estab­lished or created and so organized that any contingency can be promptly met as soon as it arises.

This is a most important consideration, and to this end is essential that the cost of operation be reduced to a minimum consistent with efficiency. With the operating organization provided for, the Canal Zone will be in immediate charge of the Chief Sanitary Officer, the reservation of the health of the general population of about 9,000 while Americans in the zone to be.

Mr. BRANDEGEE. The Canal Zone occupies about 73 square miles, with the understanding that the cost of all improvements and the operation of the canal will be charged with its own sanitation. The reservation of the health of 9,000 while Americans in the zone to be.

Mr. BRANDEGEE. Now, Mr. President, returning to the inquiry of the Senator from Oregon as to why the Panama Canal should not be treated in the same way and subject to the same internal government as the other internal way­

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Mr. BRANDEGEE. Now, Mr. President, returning to the inquiry of the Senator from Oregon as to why the Panama Canal should not be treated in the same way and subject to the same internal government as the other internal way­
Mr. BRANDEGEE. I say to the Senator that I assume he is reading from the Congressional Record.

Mr. CHAMBERLAIN. Yes.

Mr. BRANDEGEE. I am reading from the convention between the United States and the Republic of Panama for the construction of a ship canal to connect the waters of the Atlantic and Pacific Oceans, signed at Washington November 15, 1903, and published on page 269 of Senate Document 9225.

Mr. CHAMBERLAIN. The question of the Senator has been taken up. Mr. Reed is at the head of the table and I am going to speak to the Senator by reading from page 269 of Senate Document 191, Sixty-second Congress, second session. Article 2 contains the following language:

The Republic of Panama grants to the United States in perpetuity the use, occupation, and control of a zone of land and littoral water for the construction, maintenance, operation, sanitation, and protection of said canal of the width of 10 miles, extending to the distance of 5 miles on each side of the center line of the route of the canal, and within the said channel in any part of the said canal, in any auxiliary canals, and any auxiliary works, as is necessary and convenient for the construction, maintenance, operation, sanitation, and protection of the said canal or of any auxiliary canals or other works.

Mr. REED. I yield to the Senator.

Mr. CHAMBERLAIN. I think it is important here, because the Senator has insisted that there was no parallel between Panama's grant and the treaty clause which the Senator from Oregon propounded to me. I am trying to differentiate—

Mr. CHAMBERLAIN. If the Senator will pardon me—

Mr. BRANDEGEE. I yield to the Senator.

Mr. CHAMBERLAIN. I think it is important here, because the Senator has insisted that there was no parallel between waterways in our own country and the construction of the Panama Canal, and I have insisted that the waterways in our own country are entirely different, and that the construction of the Panama Canal is through land which practically belongs to the United States and over which Panama has ceded jurisdiction.

Mr. BRANDEGEE. As I view it, Mr. President, we simply have a right to build a canal and maintain it there under the treaty, just as a railroad when it has condemned land. I suppose if we abandon that canal and fail to maintain a canal there, it would be a matter for the courts, but not for the treaty.

Mr. BRISTOW. Mr. President—

Mr. BRANDEGEE. The Isthmus of the strip which we now own and control, is it not a fact that we have acquired practically all the real estate on, or we make provision in this bill to acquire all the real estate in, this strip from private holders and make it a part of our own possessions—Government land?

Mr. BRANDEGEE. I am listening to the Senator.

Mr. BRISTOW. Have we not done that?

Mr. BRANDEGEE. I did not know the Senator had concluded the negotiations. I will be happy to examine it.

Mr. REED. Yes; but that use, occupation, and control is a property right, a property grant. It is such a grant as could be made and would be made by a sovereign to some person or to the United States.
government with relation to its retaining the sovereignty of which still lies in the grantor. If we stop there the contention of the Senator from Connecticut would be fully sustained by the text of the treaty.

But now we come to article 3, a separate article, dealing with a different question. We have already dealt with the question of property, a property question, the right to take, the right to improve, the right to condemn, the right to acquire property interests, and to utilize the property rights, and even over the houses of the grantee. We have dealt with article 2, to article 3, and we find that we are dealing with a different subject matter, and what is that subject matter?

The Republic of Panama grants to the United States all the rights, power, and authority within the zone mentioned and described in Article II of this agreement and within the limits of all auxiliary lands and waters mentioned and described in said Article II to exercise there within the exercise of any sovereignty, the right to govern it, and so forth, but they retain the titular sovereignty. That is my view of it.

Mr. REED. I said a fundamental question.

Mr. BRANDEGEE. Very well; I do not consider it so. I am trying to get away from it, because I do not consider it so. Simply say that I do not think the canal over was thought to be upon the basis of dredging out a harbor or dredging out a river in the promotion of our interoceanic commerce; but I have considered the canal to be in no respect different from the Straits of Magellan, except that it is to move those straits in a way, in the sense of laying within the zone of Panama, except that in order to pass through those straits we had to use mechanical devices. That is all the difference that I think exists. I think if we had gone out of the Straits of Magellan, and had, therefore, if it had been necessary, to connect the Atlantic and Pacific Oceans, there would then be no parallel between that operation and the administration of our internal waterways. I am simply saying that it is my view of it. I, from the beginning have been in favor and still am in favor of making that canal as free of access to every vessel in the world as it may be. I am in favor of treating it as a great arm of the sea. I am in favor of giving it its broadest international significance, of administering it in a way not only to promote the commerce of the whole world and to induce more frequent coming to both our coasts by not only our own commerce but the commerce of the whole world, but to administer it in a way, so far as possible, to secure the good will of the whole world and to avoid any international complications or animosities. I think that will be done if we shall proceed as I have indicated.

The senior Senator from Missouri [Mr. Stone] has indicated that even the views of Prof. Johnson are not entitled to great weight, who has devoted years and years to the investigation of this subject and has availed himself of all the information that has been gathered, and the proportion of vessels, the different rates as against our competitors. For instance, suppose the Suez Canal. All the tolls and counts and the passages of vessels between particular ports, the frequency of their voyages and their destinations, and the proportion of cargo carried to and fro, has availed himself of everything. I am simply saying that my view of it, if I, from the beginning have been in favor and still am in favor of making that canal as free of access to every vessel in the world as it may be, I am in favor of treating it as a great arm of the sea. I am in favor of giving it its broadest international significance, of administering it in a way not only to promote the commerce of the whole world and to induce more frequent coming to both our coasts by not only our own commerce but the commerce of the whole world, but to administer it in a way, so far as possible to secure the good will of the whole world and to avoid any international complications or animosities. I think that will be done if we shall proceed as I have indicated.

I say I would open this canal upon the same terms to all the vessels of the world. I would allow the President or some commission appointed by him to run it. I would give them the authority to fix the tolls.

Mr. CUMMINGS. Mr. President—

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

Mr. BRANDEGEE. I do.

Mr. CUMMINGS. May I interrupt the Senator from Connecticut to make a brief statement?

Mr. BRANDEGEE. Certainly.

Mr. CUMMINGS. Something that I said a few moments ago might be used as a basis for the impression that I question the correctness of Prof. Johnson's statements.

Mr. BRANDEGEE. I referred the Senator from Missouri to Prof. Johnson. I referred the Senator from Missouri to Prof. Johnson.

Mr. CUMMINGS. I understand that. I have the very highest regard for Prof. Johnson's opinions in this matter. I believe he is better qualified to express an opinion with regard to the future volume of traffic than any Senator, because he has given so much more study to the subject; but the error into which we may fall if we accept his view implicitly is this: His view does not take into account the adjustment of our competitors. For instance, suppose the Suez Canal should cut its rates in half, that would make a great difference in Prof.
Johnson's estimate; suppose the transcontinental railways should reduce their rates by half, that would make a very great difference in the amount of traffic passing through the canal. I call this to the attention of the Senate now, because we ought to consider carefully what Prof. Johnson said. I, for one, believe that we shall have to adjust our rates on business in which we compete with the Suez Canal according to rates maintained by the Suez Canal. I believe we shall have to adjust our rates on western coast in order to allow competition with our transcontinental railroads. I believe we shall have to adjust our rates on business destined to the western coast of South America according to the cost of doing business in which we compete with our transcontinental railways.

Mr. SIMMONS. I suggest to the Senator from Utah whether he had not better insert in the agreement the word "calendar," so as to read "on that calendar day." I, for one, believe that we shall have to adjust our rates on business in which we compete with the Suez Canal according to rates maintained by the Suez Canal. I believe we shall have to adjust our rates on western coast in order to allow competition with our transcontinental railroads.

Mr. SIMMONS. I suggest to the Senator from Utah whether he had not better insert in the agreement the word "calendar," so as to read "on that calendar day." I, for one, believe that we shall have to adjust our rates on business in which we compete with the Suez Canal according to rates maintained by the Suez Canal. I believe we shall have to adjust our rates on western coast in order to allow competition with our transcontinental railroads.

Mr. Randegee. Mr. President, I agree to a great deal of what the Senator from Iowa has said. What he seems to me to be a scientific guess and the estimate of a great many variable and complicated things which may happen in the future. I want to call the attention of Senators to the fact that Prof. Johnson's testimony upon all these questions is to be found in the Senate committee hearings, beginning a little before page 25 and running along after that point. He discusses these questions simply giving his best judgment. Col. Goethals is in favor, and I am in favor, whether rightly or wrongly, of what he believes to be the wisest course. Possibly it may be the wrong course, but it is a wise one, and it seems to me, to say nothing about free passage to anybody at present and authorize the President or a commission or somebody that can have the benefit of this testimony and then of their own studies to fix the rates on all vessels that go through the Panama Canal, and run the canal a year and see what happens, ascertain whether the canal receipts are such as would indicate that the rate is low enough to attract business from our competitor, the Suez Canal, and with authority to raise and lower rates within definite limits, allowing them some discretion so as to adjust the rates along the lines of a sliding scale as the immediate needs might demonstrate was proper.

Mr. SIMMONS. Mr. President—

The President pro tempore. Does the Senator from Connecticut wish to speak at this time? Mr. Randegee. I do.

PROPOSED VOTE ON WOOL, SUGAR, AND EXCISE BILLS.

Mr. SIMMONS. Mr. President, I have asked the Senator from Connecticut to yield to me only for a moment in order that I may make a request. I realize fully the embarrassment and inconvenience of the present situation in the Senate, and I am anxious, if possible, to reach some agreement by which that situation may be relieved. I desire to ask Senators on the other side of the Chamber if it is not possible for us to enter into an agreement, providing for a vote upon the wool bill, the sugar bill, and the excise bill at some early day?

Mr. SMOOT. Mr. President, I am positive there is no disposition on the part of Senators on this side of the Chamber to delay a vote upon those bills; and I ask unanimous consent that on Thursday, July 25, 1912, immediately upon the conclusion of the routine morning business, the Senate shall proceed to the consideration of the excise bill (H. R. 22185) to reduce the duties on wool and manufactures of wool, and that before adjournment on that day, we shall vote upon any amendment that may then be pending, any amendments that may be offered, and that, shall, through the regular parliamentary stages, to its final disposition.

I should also like to give notice that I shall follow this request by asking unanimous consent for a vote on what are known as the sugar bill and the excise bill.
The PRESIDENT pro tempore. The Senator from Utah, then, withdraws the first request for unanimous consent for the time being?

Mr. SMOOT. Yes; I withdraw my original request for unanimous consent.

The PRESIDENT pro tempore. The Senator from Utah now offers a request for unanimous consent, which will be stated.

The Secretary read as follows:

"Mr. SMOOT. Mr. President, my opinion is that under the unanimous-consent agreement an amendment proposing to attach the excise bill to the sugar bill on Friday would be out of order.

Mr. STONE. I desire to make a suggestion. If unanimous consent is given to enter that order, I should like to know whether it would prejudice the right of a Senator, if he so desires, during the consideration of the so-called sugar bill on Friday to offer the excise bill as an amendment? I ask that because the agreement proposes that the following day, Saturday, shall be set apart for the consideration of the excise bill."

Mr. BACON. Mr. President, did the Senator ask for a ruling on that proposition and becomes the original proposition. It is a radical amendment; that is the difference between it and a partial amendment; but, none the less, it is an amendment and has all the incidents, features, rights, privileges, and possibilities of an amendment.

The PRESIDENT pro tempore. The Chair so understands.

Mr. BACON. When adopted, it takes the place of the original proposition and becomes the original proposition. It is a radical amendment; that is the difference between it and a partial amendment; but, none the less, it is an amendment and has all the incidents, features, rights, privileges, and possibilities of an amendment.

The PRESIDENT pro tempore. The Chair so understands.
Mr. JONES. Mr. President, I desire to say that I know the Senator from Missouri, [Mr. SMITH], is very anxious to have the Alaska government bill considered, and that he is using every effort to have that measure brought to a vote by the Senate. I have been here long enough, however, to know how these matters go and to know that when we get the tariff bills, which are generally recognized as very important matters, out of the way, some other matters which are very important locally, but not very important generally, are likely to fall by the wayside. I am sure, too far as I am concerned, that the Senate should take action upon the Alaska bill; but, with the assurances I have from various Senators now with reference to the matter, I will not embarrass the request for unanimous consent with the suggestion I made a moment ago, and so I withdraw the objection.

The PRESIDENT pro tempore. Is there objection?

Mr. STONE. Mr. President, I want to state frankly that it was my intention, if no one else did anything, that the sugar bill is to be taken up in advance of the excise bill, to offer the last-named bill as an amendment to the sugar bill. I had supposed that to come under the terms of the agreement as drawn any amendment would be in order; but, to put it beyond question, I submitted the inquiry I made. The Chair, so far as the Chair went, intimated that the ruling would be against the right to offer the excise bill as an amendment under the unanimous-consent agreement as an amendment to the sugar bill, and Senators upon the other side.

Mr. SIMMONS. Mr. President, I do not know

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

Mr. STONE. Certainly.

Mr. SIMMONS. I did not understand the Chair to make that intimation, I understood the Chair to hold that a substitute would not be in order.

Mr. STONE. Nevertheless

The PRESIDENT pro tempore. If the present occupant of the Chair shall be presiding at that time, he will consider the matter when it is presented to him; but at present he would not feel like making any definite ruling.

Mr. STONE. I understand that; but, so far as the Chair went, it was along the line I have suggested, and three or four leading Senators on the other side have stated that the amendment suggested would not be in order under the agreement.

Mr. STONE. I am not predisposed to make any definite rulings. It is the first request for unanimous consent relating to the sugar bill agreed to; I am perfectly willing and anxious to have the order relating to the sugar bill and the excise bill agreed to; but I do not consider this to be an amendment to the sugar bill and have it voted down, as it probably will be by the majority on the other side, and then be confronted with the same necessity to secure financial requirements of the Government, for the passage of the excise bill. My contention is that, if the sugar bill as it came from the other House should be adopted, the loss of revenue growing out of that should be supplemented by the excise bill and would put those of us who are in favor of the passage of these bills at a disadvantage if they should be taken in the order named.

Now I will ask the Senator from Utah if he is willing to agree to either one of two propositions—to place the excise bill in advance of the sugar bill, or, secondly, to have it understood that the excise bill may, if desired, be offered as an amendment to the sugar bill.

Mr. SMOOT. Mr. President, I am not disposed to agree to the request of the Senator from Missouri, and have it agreed to.

Mr. STONE. I am asking the Senator to object to that proposition, which already covers three important matters.

Mr. JONES. Mr. President, I desire to say that I know the Senator from Utah is very anxious to have the sugar bill and have it voted down, as much as is possible, for the reason that in the sugar bill and excise bill agreed to; but I do not believe he is trying to head off the present proposition, which already covers three important matters.

Mr. SMOOT. Of course, if the Senator desires to object, I have no objection.

Mr. STONE. I am asking the Senator to consent to that course.

Mr. SIMMONS. Mr. President, I hope the Senator from Utah will adopt that course. I was just going to suggest it when the Senator from Missouri rose.

Mr. SMOOT. Then, Mr. President, I will withdraw the request.

The PRESIDENT pro tempore. The Senator from Utah withdraws the request for unanimous consent.

Mr. SMOOT.SUBSEQUENTLY SAID.

As I came into the Senate there was some talk of a unanimous-consent agreement. When the Payne-Aldrich tariff bill was passed in 1909, a corporation-tax amendment was brought in here which in terms exempts the trusts and combinations from the payment of the tax, which is purely an excise tax for the privilege of being a corporation.

I shall feel constrained to object to any unanimous-consent agreement that is so framed that at so early a point an amendment cannot be offered to the Payne-Aldrich tariff bill, repealing the exemption of the trusts and combinations from the corporation tax.

Mr. L OdGE. Every one of the bills mentioned in the proposed unanimous-consent agreement is in that position.

Mr. CLAPP. I thought so until I heard the question of the Senator from Missouri as to whether or not the excise bill could be put in as an amendment to the sugar bill.

Mr. LODGE. That question related to a specific bill, as to which there was another unanimous-consent agreement.

Mr. CLAPP. That is all right. I understood the suggestion of the Senator from Missouri was that this agreement might be so framed that only the bills as they now stand could be voted upon.

Mr. LODGE. Oh, no.

Mr. CLAPP. And I want to give notice that the unanimous-consent agreement must be so framed that—

Mr. BACON. Mr. President, there is a good deal of conversation on the floor; and while the Senator generally speaks in a loud tone, he turned in the opposite direction, and I did not catch the exact point of his remarks.

Mr. LODGE. It is all over.

Mr. CLAPP. It is all over; but I will state it again, if the Senator desires.

When I came into the Senate I heard the Senator from Missouri discussing a proposed unanimous-consent agreement as to the tariff bills, which agreement would provide for the sugar bill. It occurred to me that the agreement was being so framed that perhaps it would preclude amendments generally and to that extent it would put us at a disadvantage. My contention is that, if I could not consent to the agreement unless it permitted an amendment repealing the exemption of the trusts from the payment of the corporation tax incorporated in the Payne-Aldrich bill three years ago.

Mr. SIMMONS. Mr. President, I should like now to inquire from Senators on the other side of the Chamber—

Mr. BRANDEGEE. Mr. President, have I the floor?

The PRESIDENT pro tempore. The Senator from Connecticut has the floor. Does the Senator from Connecticut yield to the Senator from North Carolina?

Mr. BRANDEGEE. I yield for that purpose.

Mr. SIMMONS. I wish to remark.

Mr. BRANDEGEE. I yield for that purpose.

Mr. SIMMONS. I now wish to inquire of the Senators on the other side of the Chamber if it will be possible to enter into a unanimous-consent agreement to vote upon the wool bill?

Mr. SMOOT. I think, Mr. President, the only proper course is to do what we started to do—to vote upon all the tariff bills. I would not feel like saying to the Senator that we could vote upon the wool bill independently, but I should very much prefer to leave the matter open, as requested, for further consideration.

RADIO COMMUNICATION.

Mr. SMITH of Michigan submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 815) to amend an act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910, having met, after full and free confer-
I do this because I think this legislation is of retroactive character and imposes on certain of the reclamation settlers an additional burden over and above the contract price of the work done, increasing that price by a double payment of part of what was due under the contract from the reclamation fund due to the principal contractor when the work was begun and continued there was no law which relieved the sub-contractor or the material man from the necessity of looking after the collection of what the contractor owed him, or which imposed on the Government or the reclamation authorities the duty of seeing to it that the money paid under the principal contract was used by the principal contractor to pay his subcontractors or material men. To require that this additional amount should be added in the assessment upon the reclamation lands is by law to increase a contract burden by a change of the character of the liability after it has been assumed and fixed. This is retroactive and is legislation in its nature unjust to the reclamation settlers.

WM. H. TAFT.

THE WHITE HOUSE, July 18, 1912.

The President pro tempore. The question is, Shall this bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. MYERS. Mr. President, I ask unanimous consent that the President's message and the accompanying document be printed and lie on the table, subject to be called up by me at a later day.

The President pro tempore. The Senator from Montana asks unanimous consent that the President's message and the accompanying document be printed and lie on the table. Is there objection? The Chair hears none.

Mr. President, I submit an order, which will be read.

Mr. WARREN. Mr. President, I wish to give notice that I shall ask the Senate to proceed with the consideration of the sundry civil appropriations bill to-morrow, immediately after the routine morning business.

VOTES ON EXCISE, WOOL, AND SUGAR BILLS.

Mr. SIMMONS. Mr. President, I desire to inquire of the Senator from Utah if he would not consent to change the order in the unanimous-consent proposition he submitted a little while ago, so as to allow a vote upon the excise measure before the sugar bill.

Mr. SMOOT. After consultation with a number of Senators interested in this proposition, I find there is no objection to that program, and therefore I offer the order I send to the desk.

The President pro tempore. The Senator from Utah submits an order, which will be read.

The Secretary read as follows:

It is agreed by unanimous consent that on Thursday, July 25, 1912, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 22135) to reduce the duties on wool and manufactures of wool, and before adjournment on that calendar day will vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill, through the regular parliamentary stages, to its final disposition.

Further, it is agreed by unanimous consent that on Friday, July 26, 1912, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 21214) to extend the special excise tax on tobacco held by corporations to persons, and to provide revenue for the Government by levying a special excise tax with respect to doing business by individuals and copartnerships, and before adjournment on that calendar day will vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill, through the regular parliamentary stages, to its final disposition.
1912. CONGRESSIONAL RECORD. 9231

"And, further, it is agreed by unanimous consent that on Saturday, July 27, 1912, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of H. R. 21969, the canal tax bill, as amended by Mr. Lodge in his pro tempore speech. The Senate will then proceed to the consideration of the bill, without debate.

The motion to proceed to the consideration of the bill is agreed to.

The Senate is informed that the President has made the following announcement:

"I hope that the American Nation may see their way to make the passage of the Panama Canal Act for the benefit of the United States, and to make possible the application of the money collected from this canal to the support of the American merchant marine."

The PRESIDENT pro tempore. Is there objection?

Mr. BACON. Mr. President—The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Georgia?

Mr. BACON. Certainly.

Mr. BACON. I do not make the point of order because I received notice that the Senate would consent to a request which I have made, as I am sure that the whole country in which we are all very much interested, but I do wish to give notice that hereafter I shall ask for the observance of the rule that no Senator shall interrupt the Senator on the floor by another Senator.

Mr. LODGE. I ask the Senator from Connecticut to yield to me for a moment.

Mr. BRANDEGE. I yield to the Senator from Massachusetts.

Mr. LODGE. Without detaining the Senate to read it, I send to the Secretary's desk an extract from the report of the Liverpool Shipowners' Association in regard to Suez Canal tolls, which I think it will be of interest to have printed in the Record; and, also, two or three extracts from one of the London newspapers on the same subject.

The PRESIDENT pro tempore. Without objection, the order will be made.

The matter is as follows:

THE PANAMA CANAL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 21969) to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone.

Mr. BRANDEGE. I wish to call the attention of the Senate very briefly—

Mr. BACON. Mr. President—

Mr. BRANDEGE. The proposal of this sort raises the whole question of treaty relationships, and placed another authority on shipping and the matter of protection before the American people who are certain that in America who think it is absolutely impossible for such treaties to be made, and that no treaty should be entered into because of the reasons which the United States Government gave when they intimated their intention to consolidate the Panama Canal into their own hands, but it now appears that, in the view of foreign people, it is a relatively small matter. It is a question of, I suppose, the desirability of a treaty, or a treaty of understanding, with the American people, for the purpose of establishing the canal as a national instrument, for American shipping, but, as a matter of fact, it will do very little good to practically all the American shipping is nowadays engaged in the coastwise business, and her operation of this monopoly they are able to carry goods from New York and San Francisco a little cheaper than it is to-ship by the Suez Canal, and the United States will only enable the ships to compete with the transcontinental railways of the United States. That I believe is the point of the whole thing.

Mr. BRANDEGE. At the same time, I ask unanimous consent that the letter be read in the Senate with the accompanying resolution, which has to do with the question of allowing vessels in which a railroad may have any interest to go through the canal.

The PRESIDENT pro tempore. Without objection, the order will be made.

The matter referred to is as follows:

COFFEE GOODS EXPORT ASSOCIATION OF NEW YORK.

HON. FRANK B. BRANDEGE, D.
UNITED STATES SENATE, WASHINGTON, D. C.

SENATOR: I have the honor to hand you herewith a copy of resolution passed by the board of directors of the Coffee Goods Export Association of New York, in relation to H. R. 21969, Calendar No. 771, an act to provide for the operation, etc., of the Panama Canal, and ask your attention thereto.

Very respectfully,

HOWARD ATHER, Secretary.

Copy of resolution passed by the board of directors of the Cotton Goods Export Association of New York, July 17, 1912.

WHEREAS it is of the utmost importance to the manufacturers of the United States doing business with oriental countries to have suitable and adequate freight accommodation for merchandise exported, and to 

WHEREAS the opening of the Panama Canal would provide means for increasing the shipping facilities of oriental trade, allowing it to be done in a faster and cheaper manner, and

Resolved, That the use of that waterway should be as free of restrictions as possible; that such a restriction as is made in lines 12 to 18, inclusive, beginning at the word "Provided," of section 11 of the Senate draft of H. R. 21969, Calendar No. 771, is so destructive of opportunity for freight employment of vessels coming under the other provisions of the section and the whole bill as to prohibit the building of vessels of foreign registry for that trade; and that all necessary protection against abuse of the privileges of the canal by such vessels is given by other parts of the bill and other laws; that the Senate of the United States be requested, in the interest of the merchants and manufacturers of the United States doing business with oriental countries, that the United States trading with the Orient, to strike out of the bill section 11, lines 12 to 18, the words: "Provided further, That no such railroad owned or chartered shall pass through the canal under the provisions of this act, not more than 50 per cent. of its cargo in tons net, be destined for export from oriental or European ports";

Mr. BRANDEGE. Mr. President, as I was saying some time ago in my remarks on the view of these tolls, and in order to eliminate the differences of opinion about the treaties, in view of the fact that we can have no positive knowledge in advance of what is going to happen in the canal after it is open for business and under the terms of these two or three modifications, but the most sensible thing to do, the thing that certainly we could make no mistake about and never could be blamed for doing, would be to limit the canal to those vessels that want to go through it and charge them all a just and reasonable price for the service we render to them in putting them through.

After operating the canal the United States a year or two years and figuring up the amount of tolls received from every vessel, with some experience as to whether or not we might have to reduce the tolls, we could then file our bill according to the present understanding, and the revenue department of the United States Government is doing it.

[The Committee on Foreign Commerce of the House of Representatives has been to Panama to inspect the progress made in the canal and to determine the tolls to be paid by ships passing through it. The Committee has just returned, and its members are agreed that tolls should range between 2s. and 4s. per ton for vessels flying foreign flags, but that no preference should be accorded to the American merchant marine. The majority of the British Government would like to see the use of the canal by American vessels engaged in the coastwise trade.

Mr. BRANDEGE. Mr. President—a side point, which really concerns other countries, since the coasting trade of the United States is already restricted by the Canal Treaty.

If the tolls are to be applied to American ships that will be directly affected by any system of tolls so arranged as to give a preference to American vessels engaged in coastwise traffic.
tolling to get the business as against our competitor, the Suez Canal, we would be in a better position to judge as to whether it was necessary to attempt to give—even if we could do so under the treaties—free tolls to American shipping or free tolls to American vessels engaged in the foreign trade, with the idea of reviving free tolls, need the free tolls and the help much more than the domestic shipping, which already has a monopoly of the trade. Free tolls may properly be required to carry itself as a commercial highway. Our expenses at the canal per annum will be about $400,000 for the operation and maintenance of the canal and the government post offices. The interest on our investment will be eleven and a quarter millions more, and a much more substantial investment than this is needed to make the canal self-sustaining. The canal is a commercial route, including the interest on the tolls to vessels that use the canal.

Senator Bristow. Why should you charge the interest on the investment? The construction of the canal is not a business any more than you would charge me on the investment in the improvement of the harbor at New York. The Panama Canal is a world highway; and certainly the interest that world highway would not be charged for in proportion to the tolls collected by the canal, as the tolls are so small. It seems to me there are two general problems involved. The canal will be a cheap work that will save much work and labor. It is my opinion that we can make a better public works as the Panama Canal than being a public work and without burdening the commerce that is benefited.

As I said in my introductory remarks, I do not believe a toll of 5 cents for the canal should not be regulated in the same manner as any other toll. Any railroad that owns a steamboat line may compete with the canal in making free tolls. I feel that it is necessary to do this.

Mr. Johnson. Yes. Of course, you are now considering this as a purely national question, and not with reference to any international agreements that may be involved. I think Congress has the power to do this.

Mr. Bristow. The President pro tempore. Does the Senator from Connecticut yield to the Senator from Kansas?

Mr. Brandegee. Certainly.

Mr. Bristow. I desire to suggest to the Senator that I think he misinterprets the House bill. He has a copy of it there. I should like to call his attention to the fact that the bill as it passed the House does not have the effect he suggests, but the amendment which the committee dropped has had the effect. The House bill did not do so, because the penalty in the House bill was on the railroads that bought the shares of steamship stock, not on the steamship lines.

Mr. Brandegee. I yield.

Mr. Bristow. The provision of the bill forbids only the railroad-owned ships that compete with the roads going through the canal. How could an English railroad-owned steamship compete with the railroad that owned it in traffic through the canal?

Mr. Brandegee. I do not know. But I say if an American railroad has some interest in a steamship line or a steamboat, he would probably compete under the language of this bill—and any railroad that owns a steamboat line may compete with it if it wants to transfer the operations of its steamboat line to an American vessel. If that is so, why should we adopt a policy which would result in letting the foreign-owned steamboats into the canal while keeping our own out?

I call attention to the statement of Doctor Johnson before the Senate committee. I will read briefly and rapidly some of his views.

Doctor Johnson said, on page 26 of the Senate committee report:

The canal will perform two functions—one of aiding of commerce and the other of aiding our Navy and our military establishment. The canal, it seems to me, may properly be required to carry itself as a commercial highway. Our expenses at the canal per annum will be about $400,000 for the operation and maintenance of the canal and the government post offices. The interest on our investment will be eleven and a quarter millions more, and a much more substantial investment than this is needed to make the canal self-sustaining. The canal is a commercial route, including the interest on the tolls to vessels that use the canal.

Senator Bristow. Why should you charge the interest on the investment? The construction of the canal is not a business any more than you would charge me on the investment in the improvement of the harbor at New York. The Panama Canal is a world highway; and certainly the interest that world highway would not be charged for in proportion to the tolls collected by the canal, as the tolls are so small. It seems to me there are two general problems involved. The canal will be a cheap work that will save much work and labor. It is my opinion that we can make a better public works as the Panama Canal than being a public work and without burdening the commerce that is benefited.

As I said in my introductory remarks, I do not believe a toll of 5 cents for the canal should not be regulated in the same manner as any other toll. Any railroad that owns a steamboat line may compete with the canal in making free tolls. I feel that it is necessary to do this.

Mr. Johnson. Yes. Of course, you are now considering this as a purely national question, and not with reference to any international agreements that may be involved. I think Congress has the power to do this.
and not to endanger this bill by endeavoring to solve what all must admit is a highly controversial question.

Senior Senator from New York: I think it is a very important question in connection with the charging of tolls, if it is not?

Mr. BRISTOW: I do not think it is, Senator Jones. I think it is rather a question of policy as regards the regulation of rail and water carriers. You have to decide whether to attempt forcibly to separate the corporation or company into two separate lines, and then regulate the two lines by the canal under Government regulation.

Dr. JOHNSON: I agree that this question of rates is a question which will have to be determined whether the railroad companies owning and operating steamship lines will be followed by active competition, whether it comes in the regulation of rail carriers, or in the regulation of water carriers, subject both to the rail and water lines to the same regulation. I come to the conclusion that competition will come in and the question of rates will be determined whether the corporation or company into two separate lines, and then regulate the two lines by the canal under Government regulation.

Mr. BRISTOW: Why do you think a railroad company should own a steamship line that competes with it?

Dr. JOHNSON: The question in rates among steamship lines that competes with it.

Senator BAINBRIDGE: Why do you think a railroad company should own a steamship line that competes with it?

Dr. JOHNSON: I do not think any steamship line that competes with a railroad company. Common ownership of rail and water lines eliminates competition.

Senator BAINBRIDGE: Suppose, as a matter of fact, it was demonstrated that there was a steamship line that was competing with itself; do you think the Government ought to permit that?

Senator BAINBRIDGE: Why would you permit a railroad to purchase or canals to own a steamship line?

Dr. JOHNSON: As I said before, I do not think there is such a thing.

Senator BAINBRIDGE: That was a question of fact. I think it could be demonstrated that such conditions do actually exist, but I will not go into the question of determining the fact, but assume that the fact does exist; if it does not exist, of course, then, the question fails; but if it does, why would you permit it to own a steamship line that competes with itself and then regulate its operation? What would be the object of doing it?

Dr. JOHNSON: To secure maximum transportation facilities for the public, which, of course, must also be the object of legislation. Consideration of the common ownership of rail and water lines, which will result in more efficient and more extensive transportation facilities than can be secured by the common ownership of rail and water lines and the regulation of the same. The question here in the canal bill, which will be controverted and upon which there is a fair difference of opinion, is whether it is just and reasonable to permit the railroad companies to own a steamship line in a steamboat line with which it may compete shall be allowed to send its vessels through the Panama Canal. Whether we shall say that, or whether we shall allow them all to go through now, either with or without supervision and regulation by the Interstate Commerce Commission, and the minute any bad practice or ill effect is felt bring them under the control of the Interstate Commerce Commission. I say in all these matters I think it is wiser to open the canal with the greatest freedom. I do not believe any one party, whether it be an ocean line steamship company or a railroad, transcontinental or otherwise, will sit down and say that it is any one policy to open the canal without others doing the same thing. For my part I regard the Southern Pacific, with its ownership of the Pacific Mail, practically as a double-track railroad. The parallel is by water. Further south the Missouri, and such other railroads that will build of their own parallel steamship lines, and then with joint rail and water lines compete system by system with each other and those foreign companies of the world.

Mr. REED. Mr. President—The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Kansas?

Mr. BRANDDEGEE: Yes.

Mr. BRISTOW. The Senator from Kansas?

Mr. BRANDDEGEE. The Senator will admit that Commissioners Lane and Prouty do not agree with him in that view.

Mr. BRISTOW. Yes. I am not going to argue whether the testimony of Commissioners Prouty and Lane in relation to this subject, and if any Senator will say to me that he is willing to cast his vote on this question on his deductions from the facts and the speeches of the witnesses, I say I will say it. I will say that it is possible to do so. Judge Prouty stated perfectly frankly and decisively that, so far as the ownership of steamboats on the Lakes by the New York Central and the Wabash, that on the Mississippi and Gulf, that on Long Island Sound owned by the New York New Haven & Hartford Railroad Co., all advocate the dismemberment of that railroad ownership, and thought that both the shippers and the receivers of freight were better served now than they would be under common ownership. He would say that if it was to be done over again he would not let that concentrated condition and joint ownership come about, but that he existed, thought more damage would be done in the attempt to dissolve it and taking the chance of what might be substituted in its place. I agree with him on that. That, however, I do not think will be a serious matter of contention here. There is no demand at all comparable with the opposition in New England to this legislation, and the minute any bad practice or ill effect is felt bring them under the control of the Interstate Commerce Commission.

Mr. REED. Mr. President—The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Missouri?

Mr. BRANDDEGEE. Yes.
Mr. REED. The railroads.

Mr. BRANDEGEE. I am not sure that they would, but the situation would be no worse. I think if they were regulated by the Interstate Commerce Commission no injury could flow from it, if the rate was just and reasonable.

Mr. REED. I am directing my interrogatory to the remark that Senator Reed made, that if they were all the better in service. If the rates were increased, it would be no worse. I think if they were regulated by the Interstate Commerce Commission no injury could flow from it, if the rate was just and reasonable.

Mr. BRANDEGE. The President pro tempore.

Mr. REED. The railroads.

Mr. BRANDEGE. That is not a fact that for all practical purposes to-day these transcontinental roads only compete in the sense that each of them tries to get all the business it can at the same price charged by the others. There is no competition in the rates.

Mr. BRANDEGE. Did the Senator ask me a question?

Mr. REED. No; I was rather making my remark supplementary or explanatory of my question. I say I am not willing to strike down the principle of competition and substitute for it the principle of regulation.

Mr. BRANDEGE. Did the Senator ask me a question?

Mr. REED. Mr. President, my idea is, in brief, to open this canal with as little restriction as possible, the effect of which we may not foresee; and Congress being in session every year twice a year, generally, and sometimes all the year, if any abuse appears there after a year or two years' demonstrated experience, I think Congress can be relied upon to do something for this bill or in any other way.

Mr. BRANDEGE. As I was saying, Mr. President, my idea is, in the event of the canal taking testimony there was a bill prepared which I had printed for the use of the committee and which I send to the desk and ask unanimous consent that it may be inserted in the Record. It is a bill which was introduced by the Chairman of the Panama Canal Commission which represents his views of the shortest and most concise measure that could be put into operation with the fewest complications of any. I simply insert it for what it is worth to anybody in this matter.

The President pro tempore. Without objection, that order will be made.

The bill referred to is as follows:

A bill to provide for the government of the Canal Zone, the construction and operation of the Panama Canal, and for other purposes.

Be it enacted, etc., That the width of 10 miles, extending to the distance of 5 miles on each side of the line of the route of the canal, which zone begins in the Caribbean Sea 3 marine miles from mean low-water mark, and extends to the Pacific Ocean to the distance of 3 marine miles from mean low-water mark, excluding therefrom the cities of Panama and Colon and their vicinity, and the lands and waters of Panama, be and the same are hereby sold to the United States by the treaty between the United States and the Republic of Panama, the rattractions of which were exchanged on the 12th day of February, 1901, between the United States and the Republic of Panama, and the canal to be constructed thereon shall be known and designated by the name of Panama Canal.

Sec. 2. That, subject to the provisions of this act, all the military, civil, and judicial powers of the United States within the Canal Zone are hereby vested in the President of the United States, including the power to make all laws, rules, or regulations necessary for the government of the Canal Zone, and for the construction, maintenance, and operation of the Panama Canal, as well as all the rights, powers, and authority to be exercised in the United States by the President of the United States, under and by virtue of the provisions of this act.

Sec. 3. That, for the purposes described in this act, the President is authorized to: (a) insert such regulations and restrictions and make such rules and regulations as he deems necessary for the protection of the rights and interests of the inhabitants thereof; (b) specify the rates of tolls and tax, and the amount of the tolls and tax which shall be paid by vessels and persons using the Panama Canal; (c) provide for the maintenance and operation of the Panama Canal, All orders and regulations with respect to the government of the Canal Zone and the maintenance and operation of the Panama Canal shall be not inconsistent with the terms of the treaty described in section 1 of this act; and (d) he may alter, reorganize, abolish, or re-create any such establishment when in his judgment the facts warrant it.

Sec. 4. That, for the purposes described in this act, the President is authorized to: (a) construct, maintain, and operate the Panama Canal, and the several lines and connects necessary thereto and for the construction, maintenance, and operation of the Panama Canal, and tolls thereon, for the use of the United States and vessels of the Republic of Panama excepted. Nor shall any rate of charge be prescribed which shall be in excess of the estimated proportionate cost of the actual maintenance and operation of the canal, subject, however, to the provisions of this act; and therefor the Isthmian Canal Zone shall cease to be applied for under the laws of the United States.

Sec. 5. That the President is hereby authorized to prescribe charges or tolls for the use of the Panama Canal, and to alter and change such charges from time to time. The charges, other than passenger tolls, for the use of the canal may be based upon registered tonnage, displacement tonnage, cargo tonnage, or otherwise, and when based upon registered tonnage shall not exceed $1.50 per net ton, nor be less than 50 cents on any vessel of the United States, and vessels of the Republic of Panama excepted. Nor shall any rate of charge be prescribed which shall be in excess of the estimated proportionate cost of the actual maintenance and operation of the canal, subject, however, to the provisions of this act; and therefor the Isthmian Canal Zone shall cease to be applied for under the laws of the United States.

Sec. 6. That the President shall provide a method for the determination of the amount of tolls to be paid by the United States for the injury or destruction of vessels or other property when being handled through any of the canal locks, and such compensation when found to have been paid out of the Treasury of the United States for the maintenance and operation of the canal. In case of disagreement between the Government authorities and the owners of such property so injured or destroyed in respect of the validity of the claim and the extent of the same, the claimants may institute suit in the circuit court to recover the amount of such compensation. All such issues shall be determined therein as in ordinary civil cases; and if a judgment adverse to the President or the United States shall be rendered, such judgment shall be final and conclusive as to the settlement of claims, and execution of judgments thereon.

Sec. 7. That the President shall be authorized to regulate, maintain, and regulate dry docks, repair shops, yards, wharves, warehouses, storerooms, and other necessary appurtenances and facilities and supplies and to other needs of passing vessels, in accordance with appropriations made from time to time by Congress, as a part of the
overcome; self upon you at this late hour. stupendous work shall be dedicated to the practical uses for has been in session a long time and occupied able as a felony. And such appellate jurisdiction may be exercised Panama, tofore impossible has been accomplished, and this country . been applied. Due to treaty relations purposes only, the Canal Zone shall be considered and treated as an persons accused of crime in force in the Canal Zone, in— and to render such judgments as in the opinion of the appellate court should have jurisdiction to review, revise, modify, reverse, or affirm the final judgments and decrees of the circuit court of the Canal Zone, and to render such judgments as in the opinion of the said appellate court should have been rendered by the trial court, in all actions and proceedings in any court of the United States, to the extent that they may not be in conflict or superseded by any special tribunal or commission created by any statute, treaty or cession of land to the United States; to the extent that the title or possession in controversy exceeds $1,000, or in which the title or possession of real estate exceeding in value the sum of $1,000, or in which the title or possession to be the goods or property, or in which the title or possession is involved and a right thereunder is asserted by the party seeking a judgment or by other competent evidence, is involved or brought in question, and where the parties are held to be liable to be charged as a felony. And such appellate jurisdiction may be exercised by said circuit court of appeals on appeal or writ of error in the same manner, under the same method, and to the extent that they may not be in conflict or superseded by any special tribunal or commission created by any statute, treaty, or cession of land to the United States, as nearly as practicable as is done in reviewing the final judgments and decrees of the district court of the United States.

9. That in all criminal prosecutions in the Canal Zone, in— and proceedings pending therein when this act takes effect, the President may continue the said court in existence and retain the judges thereof in office for such time as may seem to him necessary.

The circuit court of the United States shall have jurisdiction to review, revise, modify, reverse, or affirm the final judgments and decrees of the circuit court of the Canal Zone, and to render such judgments as in the opinion of the said appellate court should have been rendered by the trial court, in all actions and proceedings in any court of the United States, to the extent that they may not be in conflict or superseded by any special tribunal or commission created by any statute, treaty or cession of land to the United States; to the extent that the title or possession in controversy exceeds $1,000, or in which the title or possession of real estate exceeding in value the sum of $1,000, or in which the title or possession is involved and a right thereunder is asserted by the party seeking a judgment or by other competent evidence, is involved or brought in question, and where the parties are held to be liable to be charged as a felony. And such appellate jurisdiction may be exercised by said circuit court of appeals on appeal or writ of error in the same manner, under the same method, and to the extent that they may not be in conflict or superseded by any special tribunal or commission created by any statute, treaty, or cession of land to the United States, as nearly as practicable as is done in reviewing the final judgments and decrees of the district court of the United States.

10. That in all criminal prosecutions in the Canal Zone, in— and proceedings pending therein when this act takes effect, the President may continue the said court in existence and retain the judges thereof in office for such time as may seem to him necessary.

The physical canal is practically an accomplished fact. The canal has been dug through American territory acquired from Great Britain it was purchased from the French government for such a time, but this is a question of considerable importance as a single head of government is suited to the existing conditions and what methods of operation are best calculated to its success.

Your committee has given much attention to this subject and has with patient interest listened to men who professed to know from actual experience what kind of government is suited to the existing conditions and what methods of operation are best calculated to its success.

As to the question of whether the government which we shall establish shall be administered through a governor or a commission of three members the committee was divided; a majority, however, having decided for a commission, it has been so reported. Personally, I am greatly in favor of a single head of government; but the canal was not undertaken for the purpose of giving men jobs nor for retaining them, but for the success of the operation of the canal, and the right of the President is an imperative and immediately pressing duty. From the time the United States acquired from the French company the Panama property and franchises, under the treaty of 1855, since which the canal has been constructed the government of that strip and the operation of the enterprise have been controlled by a military form of government under the direction of the President, and I believe that it is now relieve the President from supreme responsibility and establish by congressional action a formal and complete government, and while I consent to this opinion, I have serious doubts as to whether such government conditions on the Isthmus until the canal has been put in successful operation by those who have made its construction possible and who know from actual experience what kind of government is suited to the existing conditions and what methods of operation are best calculated to its success.

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This Government would hold him responsible. In this regard I prefer the provision of the House bill to the Senate amendment.

This Government had two objects in view when it undertook to construct the Panama Canal. One was to benefit commerce, the other was to provide for the national defense, and no distinction was made that it did not lie in contemplation of the Panama Canal as an especial benefit to American commerce, an especial aid to American defense. Great Britain will never claim that we entered upon the construction of this great work on American soil with the idea of Imperial Improvements in commerce and strengthening our arm. We build the canal; we pay the cost; we protect it against injury; we preserve its neutrality; we police it; and we have promised to treat all nations equally, fairly, and equitably. It is evident to me that the nation which undertakes to do these things is exempted from the term "all nations," and we are clearly entitled to charge such tolls upon the foreign traffic using the canal as we may determine, subject only to the proviso that they are just and equitable, and that no discriminations are permitted.

It is insisted by some distinguished lawyers that the Hay-Pauncefote treaty forbids us to impose tolls upon foreign canal shipping if we permit our coastwise boats to pass through the canal free, but it seems to me there can be no good reason, and I say this respectfully, for at least none has been shown to me, for such belief. Certain it is that no foreign boat can now engage in our coastwise trade—in our interstate commerce—nor could they do so when this treaty was made, and if we now permit foreign boats engaged on coastwise trade with no foreign boat is allowed under existing law to compete to pass without charge through the canal, are we discriminating against a British or German or any other foreign nation when we impose tolls upon it? How is the foreigner affected by this alleged discrimination? We are not chang­ing his relations to the American, for we are in this par­ticular case in commerce with a nation with which we have not now nor will he have after the completion of the canal anything to do. This is a purely local matter, and unaffected so far as the foreigner is concerned by the canal.

I listened the other day with a great deal of interest to the Senator from Ohio [Mr. Bruce] in his discussion of this proposition, and it seemed to me that either he had a misunder­standing of the conditions or else I was ignorant in reference to them. He contended that the Hay-Pauncefote treaty under which we are operating permits the favoring of American commerce using the canal, because of the obligation imposed upon the United States to preserve its neutrality, and in answer­ing my question as to what he meant by "neutrality," I fear, so far as the foreigner is concerned, he had the idea that the Isthmus as they existed in 1850, when the Clayton-Bulwer treaty was made, and in 1901, when the last treaty was entered into, and the circumstances of the treaty of 1850 revived the old desire for a canal. It is sufficient that such a desire was strongly revived at that time. The year before the United States had made a contract with Nicaragua whereby the latter granted to an American company the right to con­struct a canal via the San Juan River and Lake Nicaragua between the two oceans. It should be borne in mind that Great Brit­ain was not favorable to this contract. She claimed an interest in the Isthmus and protectorate over Mosquito Coast, and insisted that she had rights in Costa Rica and Nicaragua. The United States did not admit these British claims, but nevertheless for the purpose of settling them they were involved in the Clayton-Bulwer treaty of 1850. The possibility of a canal built by private capital through alleged British terri­tory was being considered. Another company was contemplating a canal built by private capital through alleged British territory, and its opinion on this point of that case the court said:

"Nor is there merit in the contention that, as the vessel in question was a British vessel coming through United States water, the State laws concerning pilotage are in conflict with a treaty between Great Britain and the United States, providing that there shall be no discrimination of any kind as to charges imposed in any ports of the United States, nor the payment of any such charges by the owner of the vessel. The cases cited were cases involving vessels engaged in foreign trade and in favor of vessels of the United States in such trade. In sub­jecting the tolls in question to foreign vessels, therefore, the United States steam vessels in the coastwise trade have been exempt from pilotage regulations, therefore the power imposed to subject vessels in the coastwise trade to pilotage regulations, even although they might apply without discrimination to all vessels engaged in such foreign trade, whether domestic or foreign.

That is the interpretation which the Supreme Court of the United States has placed upon a similar treaty, holding that, inasmuch as our coastwise trade can not be participated in by
a foreign boat, therefore any regulation which we may see fit to make touching that trade can not possibly be a discrimination against a foreign boat.

Mr. CUMMINS. Mr. President—The President pro tempore. Does the Senator from Michigan yield to the Senator from Iowa?

Mr. TOWNSEND. Certainly.

Mr. CUMMINS. I am in entire agreement with the Senator from Michigan with respect to the proper construction of the treaty. I believe, and presently will try to show from my standpoint, that we have a right under the treaty to discriminate in favor of our shipping. Unless I can not put my conclusion upon the opinion of the Supreme Court which the Senator has just read, and I want to suggest to him what I believe to be a distinction.

The Supreme Court in the case just cited decided it upon the assumption that the traffic was not competitive; that the coastwise business along the shores of Texas did not compete with the foreign business carried on by the British vessel.

That is not true of the Panama Canal in reference to its coastwise business, while no British ship can engage in the coastwise business, the British ship is nevertheless in competition with the American ship in business on the coast of America. For instance, suppose an American ship should leave New York, filled with steel rails, destined for San Francisco, the market being in San Francisco. At the same time a British ship is sailing from London, filled with steel rails for San Francisco. These two ships and their cargoes are in competition with each other. The price at which the cargoes can be sold in the market, it being a common market, will determine some charge made for its passage through the Panama Canal. The instance I cite could be indefinitely extended.

So can I easily conceive that if a case under the treaty of 1901 ever reaches the Supreme Court of the United States it could readily make the distinction I have suggested between such a case and the one decided in One hundred and ninety-fifth United States.

I submit this to the Senator from Michigan for such consideration as it may deserve.

Mr. TOWNSEND. I myself have considered that point, and yet I do not see any distinction in principle between the two cases I have cited and the case made by the Senator from Iowa. I am obliged to the Senator for calling my attention to it.

The pilotage charge is also a charge upon commerce. Suppose, in the case cited here, it had been a cargo of rails, such as the Senator suggested, from New York to Galveston. Suppose at the same time a cargo of rails went from England to Galveston, on the same terms as that of the American—was not charged with tolls, but the English boat was. It is a burden upon the traffic to charge for pilotage the same as it would be to impose tolls.

Mr. CUMMINS. I agree to that. I believe if a case such as has been suggested had been the case before the Supreme Court and that point had been made under the guidance of the case, the result would have been the same, as I think it must be if the two cargoes are passed through the Panama Canal.

Mr. TOWNSEND. I can see no difference in the two cases. I do not know whether the point made by the Senator was raised in the Texas case or not. I do know that there was a case that was decided under a provision very similar to the provision in the Hay-Pauncefote treaty, one prohibiting any discrimination, and I do know that England apparently acquiesced in our court's decision.

Mr. CUMMINS. I do not make any distinction between the treaty under which the case was decided and the treaty that we are now considering, because I think in substance they are the same.

Mr. TOWNSEND. I think so.

Mr. CUMMINS. They are the same in so far as this point is concerned. In my judgment, in so far as the subject matter covered by them is concerned. But the point was not made in the case. The court considered it apparently upon the hypothesis that there was no discrimination, because the case was based on the condition that the American boat—it was not charged with tolls, but the English boat was. It is a burden upon the traffic to charge for pilotage the same as it would be to impose tolls.

Mr. BRANDEGE. Mr. President—The President pro tempore. Does the Senator from Michigan yield to the Senator from Connecticut?

Mr. TOWNSEND. If I am very glad to yield.

Mr. BRANDEGE. Mr. President, I hesitate to interfere with the Senator's remarks.

Mr. TOWNSEND. The Senator need not hesitate.

Mr. BRANDEGE. But it has been suggested to me that it is desirable to hold an executive session this afternoon. The chairman of the Committee on Post Roads and the Senate has asked me if it would be agreeable to the Senator to conclude his remarks to-morrow afternoon, so that the Post Office Committee may have a meeting and report out the appropriation bill.

Mr. TOWNSEND. If the Senate will indulge me, I will be through in a very few minutes. I would rather finish to-night. I want to accommodate the Senate, but I can finish very soon if I have a chance, and I will not lose time.

Some Senators who readily admit that we have have the right under the treaty of 1901 to remit tolls on our coastwise shipping passing through the canal, do not believe that we have the right to pass free of tolls boats of American registry engaged in trade between the United States and a foreign country, and I can see better grounds for this belief than in the case of the domestic shipping. But if my expression opinion that "all nations," as used in Article 3 of the treaty, excludes the United States, which is the owning, constructing, operating Nation—the Nation which provides the rules, and is responsible for the canal and its operation—then, mainly we have the right to retain a benefit which common sense and common justice would warrant.

But the same gentlemen who would deny us the right to pass our boats of American registry engaged in foreign commerce, and it has been reported that some of the foreign countries are already making legal provision for paying to ships passing through the canal whatever tolls may have been paid to the United States. Will any one contend that our Government could not do the same things to American boats? If this could be done indirectly by repayment, will it be contended that it can not be done directly?

But a majority of the committee, having in mind the desirability of building up our merchant marine, and wishing to satisfy, as far as possible, the objections of Senators who do not want the treaty as some of us do, has inserted in the bill a provision that the American boat engaged in the foreign trade in order to receive free passage through the canal must enter into a contract to the effect that in case of war or other emergency, the vessel may be appropriated and used by the Government. Under the clear and undisputed terms of the treaty this proposed condition would constitute a class of boats which cannot pass without tolls, and no discrimination would be practiced.

Mr. McCUMBER. Mr. President, may I ask the Senator one question?

Mr. TOWNSEND. I hope it will not be a long one.

Mr. McCUMBER. Just one question.

Mr. TOWNSEND. Very well.

Mr. McCUMBER. If the United States were to pay tolls for its warships to whom would the United States make the payment?

Mr. TOWNSEND. To the United States, of course. And to whom would the United States pay back the rebate or refund?

Mr. McCUMBER. Would that be a payment—the United States paying it to itself?

Mr. TOWNSEND. It seems to have been so argued; and some of the distinguished Senators argue with a good deal of reason that the Government be able to collect the tolls and then repay them and by so doing can keep within the letter and spirit of the treaty. No; I do not think that we should pay tolls on our warships, nor do I believe that a true construction of the treaty contemplated it, neither do I believe it was contemplated when that treaty was made that our merchantmen should be compelled to pay tolls if our Government saw fit to exempt

I desire to offer every proper encouragement to the building and operating of American ships, and free tolls would, I believe, contribute materially to this end.

Section 5 of the provision will deals with the class or ownership of vessels which may be operated through the canal. I have already stated that one of the objects for constructing
the canal was to aid commerce—our commerce. It may accomplish this purpose by furnishing additional facilities for transportation. Certain traffic will naturally seek the water and by so doing substitute certain railroad traffic for greater expedition and better facilities for that character of traffic which almost of necessity must be carried by the railroad.

Water transportation, if kept free and unmonopolized, will reduce rail rates and keep them reasonable, and this will be true not only at points where rail and water are directly competitive, but wherever water is within the range of the railroad. In other words, we may not attempt to quote cases and quote rates proving this proposition, but shall content myself by saying that water competition, active or potential, affects rail rates directly for more than a hundred years. The reason is that where water and rail are both available, self-preservation will compel the rail carriers to reduce their rates to all interior points. Where free and sufficient water transportation facilities exist direct and indirect competing rail transportation is reasonable. We need no commerce commission to keep railroad rates reasonable where water competition exists. The water carrier is the best and most effective rate regulator. The great question therefore is how to operate the canal so as to secure the greatest competition, not only between boats operating through it, but with rail carriers as well. I think I can understand why transcontinental railroads have been constructed, and why the construction of the Panama Canal will in a measure interfere with their carrying monopoly. It will compel them to compete with water carriers unless they can directly or indirectly control the waterway. It will compel them to purchase their carrying facilities or to do without rates, and probably it will do both. Naturally one would think that a railroad company would not care to own a boat line competing with its own railroad. If it should, it would buy a boat and use it to lessen its own business; and it would not.

This is a new highway, and we have now an opportunity to start it free from the possibilities of railroad domination. It will be more difficult to expel railroad boats from the canal when we once lawfully there than it is to keep them from entering at all.

The legitimate field for railroad operation is wide and it should not be permitted to participate in our coastwise traffic. So far as our internal affairs are concerned it would be well to confine our common carriers strictly and exclusively to transportation—the railroader on the land, the boats on the water. The revenue sought to have been permitted to engage in a service of business other than that for which they were chartered, and no charter should have been granted for any other purpose than that of transportation.

If the provision as I have stated it would affect lines already established and great disturbance to business without adequate compensation might result from the divestment of water and rail carriers now, but so far as the canal is concerned—and that is our present concern—there is no existing water transportation, and we have a splendid opportunity to demonstrate the effect of water transportation unaffected by railroad influence. The demonstration will be worth while, and if it proves what I expect it will, there will be time enough to make its application general.

I would not be understood as condemning the ownership of a boat line by a railroad where the former is but an extension of the rails of the latter across the water, and so any railroad which desires to engage in the foreign trade through the canal should be encouraged to do so.

I realize that much of what I have said thus far in reference to section 11 has been largely academic and void of demonstrated argument, but the transportation problem is familiar to all. The tendency of large carriers to destroy small ones has been developed for years. The future of the Panama Canal, I think, is to the strong railroad, and where no legal restraints exist that condition is almost always realized, and whatever may be our present condition, we may have in the future the same rail carriers in competition, and that, notwithstanding the disappointing condition of railroad competition. Indeed, it is known that we have no real railroad competition now, so far as rates are concerned, nor have we had since the Interstate Commerce Commission began to fix rates. On the water it is different, at least so far as coastwise traffic is concerned. Anyone with sufficient capital can write the best books or buy the best dresses, or he may carry nothing, if he chooses. Every independent boat line, every tramp steamer, is a factor in keeping rates reasonable.

The railroad-owned boat engaged in the coastwise trade and plying between our east and west coasts through the canal would have an advantage over any independent boat in that it would be backed by the capital and influence of the railroad, and that influence would naturally be exerted for its owner. In the foreign trade it would be able to operate the canal, but the railroad would have to pay the canal for the privilege of using its earnings, and this could not be done if its traffic was diverted for any great length of time to the water carrier. A tramp owned by the railroad and engaged primarily in the foreign trade could, so far as the canal is concerned, carry coastwise traffic at less than cost if by so doing it could lessen the number of water competitors, for eventually these owners have but one boat line in every transcontinental trade, and the railroads will not need to establish unprofitable rates, for no independent boats will be built; no competitors will appear. At least I know of but one line of railroad-owned boats now in existence which would use the canal in coastwise trade if permitted to do so. It is an undoubtedly profitable and useful line and it can continue in the same business which it now follows. Its capable manager—for whom I have great respect for his ability and for his evident fairness—says he does not care to engage in the coastwise trade except incidentally in connection with his foreign business; that he desires to build four large ships, to be used between U.S. possessions and foreign countries. He will not attempt to build these ships if this incident of interstate traffic is denied him. Nothing could more clearly demonstrate capital domination of the means to adequate transportation than this admission, and I quote it in order to show the American people that it is my duty to prevent as far as within me lies this grip of monopoly upon a waterway which, between the United States and its insular possessions and dependencies on the Pacific, is more important than the Panama and Hawaii or the Philippines or Porto Rico. The reason for excluding railroad-owned boats from participating in the coastwise trade of the United States properly does not seem to me to apply to traffic between the United States and these islands or to that between the islands themselves. Those boats which do or can compete with the railroads should not be owned by those railroads.

The bill provides that a railroad-owned boat engaged in the foreign trade may do a coastwise trade en route to and from foreign country, providing that not less than 50 per cent of its traffic is destined to or from the foreign country, and the reason for that is not a good or practical provision. No possible harm can come to any existing line from the proviso which I propose. No new competitor will be caused by any such law, and the bill as it stands is not a railroad law at all.

The bill provides that a railroad-owned boat engaged in the coastwise trade on equal terms with other boats, and that is not a good or practical provision. No possible harm can come to any existing line from the prohibition which I propose. No new competitor will be caused by any such law, and the bill as it stands is not a railroad law at all.

I would not be understood as condemning the ownership of a boat line by a railroad where the former is but an extension of the rails of the latter across the water, and so any railroad which desires to engage in the foreign trade through the canal should be encouraged to do so. I expect to see better facilities furnished, more tracks laid, quicker time made, and lower rates charged by the railroads. Such has been our history in similar cases, and it makes no difference to the people whether it be canal or water and cheaper transportation by its actual use, or whether its influence upon the rail carriers shall bring to pass the same results over the railroad. It is satisfactory transportation rates and the railroad. It is not the part of wisdom to measure interfere with their carrying monopoly. It

At the proper time I propose to offer an amendment to the bill providing that any American boat of whatever ownership may engage in that part of our coastwise traffic which can be carried between our continental United States and our insular possessions or dependencies beyond the United States and the islands or to that between the islands themselves. Those boats which do or can compete with the railroads should not be owned by those railroads.

The bill provides that a railroad-owned boat engaged in the coastwise trade en route to and from foreign country, providing that not less than 50 per cent of its traffic is destined to or from the foreign country, and the reason for that is not a good or practical provision. No possible harm can come to any existing line from the prohibition which I propose. No new competitor will be caused by any such law, and the bill as it stands is not a railroad law at all.

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ment rate fixing begins. It is possible that we will some day reach the time when boats will be treated as railroads are, so far as prescribing rates and regulations are concerned, but in the meantime let us see what can be accomplished by competition unifurmedly by monopoly.

What I said at the beginning in reference to tolls was general and applied to all nations, but permit me to advert briefly to the case of Canada. It is urged that if the toll rates swing free to United States boats, but will open to Canadian boats only upon the payment of tolls, that the Dominion will retaliate at the Canadian Soo, the Welland and St. Lawrence Canals, and that it would not violate either the letter or the spirit of our treaty relations with our neighbor on the north, although her present administration seems actuated by some of the grossest and most vulgar speculations of unity and power toward us. Our existing treaty with Canada gives that country no right to participate in our coastwise traffic. It does provide, however, that both nations can equal terms use the Canadian and American Soo locks and canals; the American St. Clair Canal, the Detroit River artificial channel, the Welland and the St. Lawrence Canals. The benefits to the two countries are mutual. There is actual and real reciprocity in this treaty, and no benefits from any other sources than those flowing in the mutual use of the Great lakes, the Welland Canal, and the St. Lawrence River, were contemplated.

It is true that until our new Soo lock, which is in process of construction, is completed, the reciprocal advantage would be lessened if we were denied the use of the Canadian Soo locks for some of our large boats, but our treaty with the Dominion will not have terminated before our new lock will be done and Canada will have no just cause to abrogate the treaty if we live up to our part of the contract, and we will. We will be just to all nations, and in this instance "all" will include our own.

I want the time to come when there shall be no tollgates on land or water in the way of commerce between Canada and the United States; but that time will come, if it ever comes, when the two countries, without dissembling, but in truth and sincerity, shall ask and receive genuine reciprocity in all matters pertaining to trade and commerce, without disturbing the status quo of our treaty or traffic relations with Canada, we should proceed, as she and all other nations would do under similar circumstances, viz., to promote the general welfare of our own people.

It is possible that free passage of American-owned boats will not inure to the benefit of the people, and I confess that if the effect was simply upon the cargoes in the ships thus passed through the canal I should be inclined to believe that the shipowner would be the sole beneficiary of our bounty, but the effect will not be so circumscribed. Free ships will have a tendency to encourage the building and operating of more ships, and this result will, through competition, tend to materially reduce rates to such an extent that the consumer—the person who pays the tolls—will get the benefit. But the boat rates must be met by those who enter the canal. This fact has been ventilated by every act of the railroad companies since the canal project was started. Because of this fact that railroad managers want a controlling hand in canal affairs. They know that this completed enterprise will be more potent in reducing rates and in furnishing adequate facilities than all the orders of the Interstate Commerce Commission and all the decrees of the courts. We may not be able to balance all influences and segregate those which are properly due to the canal, but we may be sure that the lower rail rates will inure to the benefit of the people, as they should, because it was their genius which conceived this enterprise, it was their money and energy which constructed it, and it will be their patriotism which will maintain and operate it.

HOUR OF MEETING TO-MORROW.

Mr. BRANDEGEE. I should like to ask if any hour has been fixed for meeting to-morrow other than 12 o'clock?

The PRESIDENT pro tempore. The Chair is not aware of any.

Mr. BRANDEGEE. I move that when the Senate adjourns to-day it be to meet at 11 o'clock in the morning.

The motion was agreed to.

EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 7 minutes spent in consideration the doors were recessed, and at 5 o'clock and 21 minutes p. m. the Senate adjourned until to-morrow, Friday, July 10, 1912, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 18, 1912.

COMMISSIONER OF CORPORATIONS.

Luther Conant, Jr., of New York, to be Commissioner of Corporations in the Department of Commerce and Labor.

ASSISTANT SECRETARY OF THE TREASURY.

Sherman Page Allen, of Vermont, to be Assistant Secretary of the Treasury in place of A. Platt Andrew, resigned.

RECEIVER OF PUBLIC MONEYS.

Harry H. Price, of Casper, Wyo., to be receiver of public moneys at Douglas, Wyo., vice Nathaniel Baker, transferred to register.

REGISTER OF THE LAND OFFICE.

Nathaniel Baker (now receiver of public moneys at Douglas, Wyo.) to be register of the land office at Douglas, vice John W. Price, resigned.

POSTMASTERS.

COLORADO.

Edwin R. Hedlin to be postmaster at De Beque, Colo. Office became presidential July 1, 1912.

ILLINOIS.

William W. Austin to be postmaster at Effington, Ill., in place of William W. Austin. Incumbent's commission expired February 31, 1912.

Samuel W. Baird to be postmaster at Carlyle, Ill., in place of Samuel W. Baird. Incumbent's commission expired January 31, 1911.

Marion T. Capel to be postmaster at Carriers Mills, Ill. Office became presidential January 1, 1912.

John W. Campbell to be postmaster at Morrisonville, Ill., in place of John W. Campbell. Incumbent's commission expired March 31, 1912.


Edwin P. Edsall to be postmaster at Grafton, Ill., in place of Edwin P. Edsall. Incumbent's commission expired December 11, 1911.

Robert R. Hilling to be postmaster at Manito, Ill., in place of Robert R. Hilling. Incumbent's commission expired December 11, 1911.

Winfield S. Hopkins to be postmaster at Granville, Ill., in place of William E. Hawthorne. Incumbent's commission expired February 20, 1911.

Thomas G. Laws to be postmaster at Coffeen, Ill., in place of Thomas G. Laws. Incumbent's commission expired February 14, 1912.

James H. Miles to be postmaster at Riverside, Ill., in place of Cornelius Sullivan, removed.

William S. Rice to be postmaster at Carlin, Ill., in place of William S. Rice. Incumbent's commission expired May 14, 1912.


Fred M. Stoddard to be postmaster at Ramsey, Ill., in place of Fred M. Stoddard. Incumbent's commission expired January 10, 1911.

Charles E. Tanner to be postmaster at Minler, Ill., in place of Charles E. Tanner. Incumbent's commission expired January 31, 1912.

Arch L. Wade to be postmaster at Farina, Ill., in place of Arch L. Wade. Incumbent's commission expired January 10, 1911.

Arthur E. Wassen to be postmaster at Franklin Park, Ill. Office became presidential July 1, 1912.

Edwin L. Welton to be postmaster at Centralia, Ill., in place of Edwin L. Welton. Incumbent's commission expired January 28, 1911.

Lawrence C. Wines to be postmaster at Maywood, Ill., in place of Harrison P. Nichols, deceased.

IOWA.

Edwin H. Wilson to be postmaster at Cedar Falls, Iowa, in place of J. W. Jarnagin, resigned.

KENTUCKY.

Alfred R. Dyche to be postmaster at London, Ky., in place of Lee B. McGarvey, removed.

MINNESOTA.

George F. Kramer to be postmaster at South St. Paul, Minn., in place of Andrew J. Davis, removed.
Frank Withrow to be postmaster at Stillwater, Minn., in place of William E. Easton. Incumbent's commission expired March 31, 1912.

MICHIGAN.
L. H. Johnson to be postmaster at Kennett, Mo., in place of George T. Dummore. Incumbent's commission expired February 18, 1911.

ILLINOIS.
William H. Workman to be postmaster at Bowman, N. Dak., in place of Mathilde Lowden, removed.

OREGON.
J. P. Morelock to be postmaster at Wallowa, Oreg., in place of Jesse E. Tulley, resigned.

PENNSYLVANIA.
Alfred Evans to be postmaster at Kane, Pa., in place of R. K. Godding, deceased.

Pennsylvania.
J. W. Houck to be postmaster at Clymer, Pa., in place of William P. Joseph to be postmaster at Wagner, S. Dak., in place of Frederick M. Stoddard.

WISCONSIN.
Gay R. Cochran to be postmaster at The Plains, Va., in place of Clarence C. Middleton, resigned.

SOUTH DAKOTA.

VIRGINIA.
Gay R. Cochran to be postmaster at The Plains, Va., in place of Clarence C. Middleton, resigned.

Charles J. Linquist to be postmaster at Rio, Wis., in place of Charles J. Linquist. Incumbent's commission expired May 6, 1912.

CONFIRMATIONS.
Executive nominations confirmed by the Senate July 18, 1912.

UNITED STATES ATTORNEYS.
James W. Freeman to be United States attorney for the district of Montana.
John C. Swartley to be United States attorney for the eastern district of Pennsylvania.
Homer N. Boardman to be United States attorney for the western district of Oklahoma.
Oliver D. Street to be United States attorney, northern district of Alabama.

RECEIVERS OF PUBLIC MONEYS.
Thomas V. McAllister to be receiver of public moneys at Jackson, Miss.

REGISTER OF LAND OFFICE.

ASSISTANT SECRETARY OF THE TREASURY.
Sherman Page Allen, Assistant Secretary of the Treasury.

POSTMASTERS.
ALABAMA.
James L. Carville, Ashland.
James L. Carville, Ashland.

CALIFORNIA.
Frank J. Grillo, Angels Camp.

COLORADO.
John A. Murphy, Las Animas.

IDAHO.
Bianche S. Rowe, Burks.

ILLINOIS.
William W. Austin, Effingham.
Samuel W. Baird, Carlyle.
John W. Campbell, Morrisonville.
Marion T. Capek, Callers Mills.

IOWÁ.
Andrew F. Guggisell, Jasper.

INDIANA.
J. V. Williams, Union.

KENTUCKY.
W. A. Coffey, Columbia.

L. H. Johnson to be postmaster at Stillwater, Minn., in place of William E. Easton. Incumbent's commission expired March 31, 1912.

MONTANA.
John B. Harvey, Madisonville.

NEBROASKA.
Louis Wolfram, Des Plaines.

NEW JERSEY.
Thomas G. Laws, Union.

NEW MEXICO.
Edward L. Wadson, Franklin Park.

NEW YORK.
Arthur E. Wadson, Franklin Park.

OHIO.
Fred A. Hanaford, South Lancaster.

PENNSYLVANIA.
James E. Shearer, Morgantown.

PONTAUK.
William L. Kimbrough, Guthrie.

RHODE ISLAND.
Lewis M. Lebus, Coventry.

SOUTH DAKOTA.
Frank W. Sitth, Falmouth.

TENNESSEE.

TEXAS.
Samuel M. J. Parcell, Palestine.

UTAH.
John W. Mathews, Berwick.

VERMONT.
Fred A. Hanaford, South Lancaster.

WASHINGTON.
George L. Mimett, Gardner.

WEST VIRGINIA.
Charlotte L. Parker, Osterville.

WISCONSIN.
William H. Workman to be postmaster at The Plains, Va.

WYOMING.
Jules Haunmont, Broken Bow.

NEVADA.
T. W. O'Sear, Virginia City.

OHIO.
Owen Livingston, Richwood.

SOUTH DAKOTA.
Charles A. Schumacher, Dresden.

J. M. Miller, Colome.

HOUSE OF REPRESENTATIVES.

THURSDAY, July 18, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:
O Thou great Creator, Father soul, to whom we are indebted for all things, continue, we beseech Thee, Thy blessings unto us as individuals and as a Nation, that we may think clearly, act wisely, do justly, love mercy, and walk humbly with our God, remembering that “The path of the just is as the shining light, that shineth more and more unto the perfect day.” And Thine be the praise forever. Amen.

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

Mr. BROUSSARD. Mr. Speaker, I ask unanimous consent to print in the Raccoon a memorandum on the jurisdiction of courts with respect to the orders of the Interstate Commerce Commission, by John B. Daish.

The SPEAKER. The gentleman from Louisiana [Mr. Broussard] asks unanimous consent to print in the Raccoon a paper written by John B. Daish on some phase of the Interstate Commerce Commission. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. BROUSSARD. Mr. Speaker, I ask unanimous consent to print in the Raccoon a memorandum on the jurisdiction of courts with respect to the orders of the Interstate Commerce Commission, by John B. Daish.

The SPEAKER. Mr. Speaker, I desire to have leave of absence for one week, on account of illness.

Mr. BROUSSARD. Mr. Speaker, I ask unanimous consent to print in the Raccoon a memorandum on the jurisdiction of courts with respect to the orders of the Interstate Commerce Commission, by John B. Daish.

The SPEAKER. I do not want to do the gentleman from Maryland [Mr. Parran] an injustice. Without objection, the leave of absence is
granted and is dated back to the 16th, covering these roll calls that were held on Monday and yesterday.

There was no objection.

Mr. Morgan, by unanimous consent, was granted leave of absence until August 7, on account of important business.

Mr. Hrdlicka, by unanimous consent, was granted leave of absence indefinitely, on account of illness.

Mr. Hamilton of West Virginia, by unanimous consent, was granted leave of absence indefinitely on account of illness.

ELECTION OF SERGEANT AT ARMS.

Mr. CULLOP and Mr. HEFFLIN rose.

The RICHARD, a 72-year-old gentleman from Indiana, is recognized.

Mr. CULLOP. I will yield to the gentleman from Alabama.

Mr. HEFFLIN. Before the gentleman proceeds, I would like to report to the House that a caucus was held yesterday, and Mr. Charles F. Riddell was unanomously chosen as Sergeant at Arms, to fill out the unexpired term of Mr. U. S. Jackson.

Mr. Speaker, I move his election at this time.

The SPEAKER. Is there another nomination? If not, the question is on the election of Charles F. Riddell as Sergeant at Arms, to fill the unexpired term of the Hon. U. S. Jackson, deceased.

The question was taken, and Mr. Riddell was elected.

Mr. Riddell appeared before the bar of the House, and the oath of office was administered to him by the Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed, with amendments, bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 20728. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty obligations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1913.

The message also announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 24, providing for an inquiry as to the purchase of the home of Thomas Jefferson, at Monticello, Va.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 555) authorizing the sale of certain lands in the Colville Indian Reservation to the town of Okanogan, State of Washington, for public-park purposes.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to bills of the following titles:

S. 5446. An act relating to partial assignments of desert-land entries within reclamation projects made since March 28, 1908; and to extend the time for submission of proof by homesteaders on the Uintah Indian Reservation; and

S. 7092. An act to authorize the Secretary of the Interior to grant title of right of way over certain public lands for reservoir purposes.

The message also announced that the Senate had agreed to the report of the committee on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19403) authorizing the Director of the Census to collect and publish statistics of cotton.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate concurrent resolution of the following title was taken from the Speaker's table and referred to the appropriate committee, as indicated below:

S. Con. Res. 24. Providing for an inquiry as to the purchase of the home of Thomas Jefferson at Monticello, Va.; to the Committee on Rules.

THE SPEAKER. The gentleman from Wisconsin [Mr. BERN] is recognized for one hour.

Mr. BERGER. Mr. Speaker, Fourth of July orators tell us that there are no classes in America, that in this country "men are created equal," and that the Declaration of Independence says so. And there are still some persons in this country who believe that this being a Republic there are no classes.

ARE THERE CLASSES IN AMERICA?

It is true that interesting historical document, the Declaration of Independence, says that "all men are born free and equal." But that was not so, even at the time when the sentence was written. It is less so now.

Men are not born equal. They do not live as equals. They do not have equal rights.

The child of the rich is surrounded by comforts and luxury, even before it is born. It is raised with tender care. Danger and sickness are kept away from it. It has every advantage that a civilization can provide for it. If an accident or injury befalling it by yielding to the temptations which wealth afford, these children of fortune grow up to a ripe old age, honored and respected by everybody and especially their children, who expect to inherit their wealth and their privileges.

How about the child of the poor? It is born in want and misery which had their beginning long before the child was brought into the world. More than half of the deaths of children under the age of one year. The child that survives and grows up to manhood or womanhood leads a life of toil and misery, filled with temptations of all kinds, which often lead to crime and prostitution. Old age means beggary or the poorhouse—at best, the aged poor are a great burden to their children. Many prefer an early grave.

Now, where is the equality of birth? Or during life, or even at the deathbed?

And do we have classes in America?

IS THERE EQUALITY BEFORE THE LAW?

We are told, however, that equality in the Declaration of Independence means equality before the law. I fail to see it there, either.

There is equality before the law when both parties are rich or both parties are poor. There is no equality in the case of a poor person against a rich person or against a corporation. Rich people will have the best lawyers, while a poor man may, if he has a good case, get a pettyfogger on a half share.

Do we have classes in America?

Supposing a man out of work is picked up in some alley or under some bridge. He was trying to spend the night there, because he does not have the money for a night's lodging. The next morning he is fined and deprived of his liberty as a vagrant, because he did not have any money to pay for a lodging. In other words, in our country it is a crime to be without money.

We do not have classes, but most of our legislation is class legislation—by the ruling class or its agents.

We have a plutocracy—we are ruled by the wealthy class.

The existence of classes is nothing new, of course. The class struggle is many thousand years old. It began with civilization. It is therefore foolish to accuse the Socialists that they are trying to "create classes"—that we incite class antagonism and class hatred.

We want to abolish classes, class antagonism, and class hatred.

If in former centuries, however, the working class meekly submitted to oppression and deprivation, there was some reason for it. There were not enough of the world's goods to go around to suffer for everybody. Naturally, therefore, the stronger took the first choice for themselves and their kin, and the people got the leavings, if there were any.

The economic basis has changed.

THE ECONOMIC CAUSE OF THE EXISTENCE OF CLASSES HAS DISAPPEARED.

We have secured control over the forces of nature to such a degree as to bring the possibilities of comfort and well-doing within the reach of everybody, at least in civilized countries. With the present machinery of production it is within the power of society to supply all the reasonable wants of every man, woman, and child living.

And if there should not be enough of any product, we could easily multiply it infinitely, provided every man would do his reasonable share of work. Unless killed by some unreasonable wants of every man, woman, and child living.

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And if there should not be enough of any product, we could easily multiply it infinitely, provided every man would do his reasonable share of work. Unless killed by some unreasonable wants of every man, woman, and child living.
own needs and wants, just as the working class of every other civilized country has its own political party.

CAn NOT HoNestLY REPRESENT MoRe Than ONE CLass.

The working class has nothing to hope for from either the Republican Party or the Democratic Party. The representatives of these parties may be, and many of them often are, very cultured and accomplished gentlemen. Most of them are personally honest. However, they represent the capitalist system; and the more honest and consistent they are the more loyal they are to their class.

And the two parties may fight about the spoils of this system, but neither of them is willing to change the economic basis of the present society.

It is therefore natural that every law passed by the Republican or Democratic Parties benefits the capitalist class, or some group of it, in some manner—even laws that obviously seem to favor the workers, like the workmen's compensation act. A law that gives workmen more wages than their employers pay is a law that benefits the capitalists. Up North the Democratic Party has passed a workmen's compensation act, but not once the law has been shown by Dr. John Haynes, is the most hazardous of all American industries, killing outright from 3,000 to 5,000 and killing and seriously injuring from 8,000 to 10,000 each year. The United States kill more coal miners than all the rest of the world combined.

The following table shows the casualties of employees on American railroads in comparison with those of other countries. The figures are for yearly accidents, based on five-year averages. The two old tables have been taken from a statement made by the gentleman from Maryland [Mr. Lewis] and appears in Senate Document No. 90 of the Sixty-second Congress:

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of employees killed</th>
<th>Number of employees injured</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td>248</td>
<td>19</td>
</tr>
<tr>
<td>Germany</td>
<td>1,016</td>
<td>221</td>
</tr>
<tr>
<td>France</td>
<td>1,085</td>
<td>317</td>
</tr>
<tr>
<td>Switzerland</td>
<td>1,271</td>
<td>26</td>
</tr>
<tr>
<td>Sweden</td>
<td>2,148</td>
<td>340</td>
</tr>
<tr>
<td>Norway</td>
<td>2,250</td>
<td>160</td>
</tr>
</tbody>
</table>

However, as long as cheap trades for votes can be made with so-called "union labor leaders"—giving the working class nothing and promising twice as much for next year—both the Democratic and the Republican Parties believe themselves safe. Mr. ANDERSON of Ohio, Mr. Speaker, has the gentleman the statistics at hand to show how many more railroad employees there are in this country than in the other countries he mentions?

Mr. BERGER. I have none at hand, but if I had them that would not change the result any, because the statistics I quote were based on the number of railroad employees as a percentage of the total number employed, and that proportion remains the same, no matter how many there are.

"A DIFFERENCE WITHOUT A DISTINCTION."

The only trouble just now is to make the workmen believe that the Democrats are different from the Republicans.

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

Mr. BERGER. After I have developed my theme, I will try with pleasure. As the old parties are so much alike that they are hard up for an issue.

Mr. GARNER. How about the "bull moose" party?

Mr. BERGER. I shall make a few remarks about that species also, if the gentleman will give me time. [Laughter.]

Of course there is still that old stand-by—the tariff—God be thanked. And Mr. Woodrow Wilson, being a profound man—a man of the type of that other profound gentleman, Grover Cleveland—has declared that the tariff is to be the issue. But how is it to be done this time?

The Republicans declared themselves to be in favor of a "backward revision." The Democrats are in favor of a "tariff for revenue," but they cautiously add in their platform that they do not want to harm any industry.

WILL PROF. WILSON NOW MAKE HIS OWN PLATFORM?

In other words, while Andrew Carnegie and Judge Gary and other northern trust magnates are willing to give up the protective tariff because their Pittsburgh and Chicago infants have grown up to some size—thank you—and they are well able to take care of themselves even in England or Germany, the southern manufacturers are beginning to demand a protective tariff—on cotton products first, of course.

That is natural enough—the South is just about 50 years behind the rest of the country in economic development.

But that is not all, for the south is reasoning: to make good on the tariff as an issue in the coming election? Is he going to have a platform of his own—a platform other than was adopted in Baltimore, and for which the "peersless black" stood sponsor?

Mr. Wilson will have to do so if he wants a demarcation of some kind between the old parties. As it is, the names of the two parties could be exchanged in both platforms and nobody would notice the difference.

HOW THE MIGHTY BRYAN HAS FALLEN!

Nothing is left of the great anticapitalist war cry for which Bryan was so well known in 1896. One can readily see that Bryan of 1912 is a different man—he got to be quite a capitalist himself, and that fact unconsciously changed his point of view.
The 16 to 1 silver issue has been dropped, and that is sensible enough. But nothing is said about nationalization of railroads, either—and the Federal judiciary is not even mentioned.

And what is even more remarkable for a "progressive" platform is the almost wordless absence of the initiative and referendum and the imperative mandate, so conveniently shelved as "State issues," although the nation: platform is unquestionably the place to enunciate the national principles of a party.

Everything shelved that looked "progressive."

And queerly enough even the recall of the judiciary is forgotten—a question that has been agitated very much of late and which the Democrats in Congress have steadfastly refused to consider when they wanted to put "Taft into a hole" on the question of admitting Arizona and New Mexico to statehood. [Applause.]

It may be that Mr. Bryan expected to be a candidate himself and he wanted all the votes in sight, including the dissatisfied conservatives. Otherwise these omissions are hard to explain for a "progressive" platform.

One might say, however, the platforms of the old parties are seldom read and even more seldom carried out. The main thing, then, is the personnel of the candidates. But just at that point there is really no difference if one is to vote Democratic or Republican. Only as One looks about his eyes and vote. The result would be absolutely the same.

All these enjoy the support of the trusts and the boss.

All of the candidates are honest men personally, as the term is understood in business and society nowadays. None of the candidates have ever been guilty of any worse than "stealing convention delegates"—will ing and ready to be stolen.

Mr. Roosevelt, who wants to start a party on the issue "They shall not steal" and on business principles, should know that political graft is the very application of business principles to politics.

Furthermore, he who has openly been accused in the Senate of trying to buy delegates both this year and in 1904.

Moreover, the three candidates of the two old parties all enjoy the support of the trusts, the bosses, and the political machines.

Hail to Grover Cleveland!

Mr. Wilson, the Democratic candidate, has probably more support of that kind than any of the rest. Although a so-called progressive, he has with him Boss Murphy, of Tammany; Boss Smith, of New Jersey; Boss Sullivan, of Illinois; and Boss Taggart, of Indiana; their machines, and what they stand for. He was also jubilantly hailed by the reactionary capitalist element, of both parties, as a "second Grover Cleveland," and was warmly indorsed by every reactionary paper. Belmont and Ryan are his warmest supporters. Wilson's election will not only perpetuate the power of the bosses and their machines, but also bring another era of reaction and "high finance" as we had under Grover Cleveland.

Mr. Wilson looks like a strong candidate owing to the fact that the country is restless and eager for a change, because the average man believes that the actual power of the administration to make good times or bad times at will, and almost everybody is dissatisfied. The evils and shortcomings of the social fabric and of the present economic system are laid at the doors of the administration that happens to be in power. This desire of the average citizen for a change is in favor of Mr. Wilson.

Mr. Wilson has a "part!"

On the other hand, Mr. Wilson is very much handicapped by his past. Mr. Wilson has written books, and, being a recent convert to the cause of progressivism, his works stand out against him. Wilson has not only attacked the south European and Slavonic immigration, but he has also denounced organized labor.

He once declared that he preferred a Chinese coolie to an American trade-union man, because the former were more law-abiding and more industrious and worked cheaper—or words to that effect. As recently as 1900 he denounced union labor as "unprofitable labor." Mr. Wilson may have changed his mind, but he has not added to his candidate that must capitulate in a very poor position. His behavior during the late strikes in New Jersey will also require explanation.

Mr. Taft has always been an apostate.

It is unnecessary to tell where Mr. Taft stands. It is as natural for a man of his type to be allied with men like Boss Crane, Guggenheim, and Hammond as it is for a duck to take to the water. Until Mr. Taft ran for the office of President he had never gone to the common people for any indorsement. He is the son of a former Attorney General and minister to Austria. He was appointed assistant corporation attorney of Cincinnati, appointed a Federal judge, appointed a commissioner to the Philippine Islands, appointed a Secretary of War, and finally supposed the "heir or thoseDirect legislative powers."

Mr. Taft knows the history of the Republican Party as the favorite organization of the big capitalists. And he wants that party to remain the favorite.

Evolution of Republican Party.

Moreover, the Republican Party has no other reason for existence than to serve capitalism. It has accomplished one great historical fact—it has freed the negro. That was done, not for humanitarian motives, but because chattel slavery was incompatible with modern capitalism.

Modern capitalism rests upon wage labor. The Democratic Party of 1890 failed to understand this simple fact—and that is the reason why the Republican Party was founded and grew up to be just what it is now.

It was the party of William Lloyd Garrison, Wendell Phillips, and Abraham Lincoln. And it became just as naturally the party of John Sherman, Senator Aldrich, and Richard Ballinger.

That Mr. Taft has the support of many big political bosses and capitalist exploiters goes without further explanation.

Where Mr. Roosevelt Stands

The opposition in the Democratic Party is represented by the ex-President, Theodore Roosevelt. Where Mr. Roosevelt stands on all the great questions of the day nobody seems to know. I doubt whether Mr. Roosevelt knows himself, because with his brilliant but very erratic political "principles" by Theodore Roosevelt may revise and change all of his principles and convictions by to-morrow afternoon. [Laughter and applause.]

At this time it does not appear that he will play much of a part if he does, unless he is satisfied to be the pathfinder of a new organization which is on its way to nowhere in particular.

Robin Hood: "Progressives."

But a glance at some of the "honest progressives" who are now struggling out to purify the old parties will at once demonstrate that Robin Hood's famous assemblages of outlaws had nothing on the company that are now rallying around Theodore Roosevelt.

There is, for instance, little Tim Woodruff, veteran of the famous "Old Guard" of any ilk in by-gone days. A doubtful asset generally that two years ago Mr. Roosevelt cast his vote from the position of a State chairman of New York.

Then there is Boss Flinn, of Pittsburgh, a reactionary from head to heel, soaked and saturated in the municipal corruption of that smoky inferno.

And Lucius Littauer, of Gloversville, N. Y., a reactionary to the backbone; mixed up in post office several years back. And George W. Perkins, of Morgan and the Steel Trust.

Furthermore, Medill McCormick, of the Harvester Trust and the Chicago Tribune. Comment is really superfluous. [Applause.]

In short, all three candidates are well supported by the organization of their class.

The Tariff and Labor

As to the tariff issue as such, this issue is to the working class, as the study of what every man earns when all the workmen are interested in the tariff—as the tariff is now—as consumers only.

The tariff does not protect labor; at the same time any sudden change would be disastrous. It is mainly a manufacturer's issue—until labor really gets its share of the protection.

The tariff is not responsible for the trusts; there are trusts in England, where they have free trade. Moreover, the trusts are now in favor of free trade.

The Real Issue for the Working Class

With us the great issue is the difference between what a workman in this country produces on the average and what he gets.

It is a class issue; it is the great issue of the working class. In 1906, in the 359,000 factories of this Nation, 6,000,000 wage earners added $1,250 apace for every worker employed.

Did those workers receive the value they put into the product? Not at all. They received $518 apace.

The other $772 went to the employers and landowners. This surplus value went to the capitalist class as such—and the landowners, the bankers, and employers, and the holders of special privileges of some sort or another.

Wherever this surplus value goes it goes to some individuals or groups of the capitalist class in some form—either as profit, rent, interest, or for both.

One Reason for the Increased Cost of Living

In 1900 the number of factory wage earners was 6,615,046, an increase of 22 per cent in 5 years and of 40 per cent in
Women have constituted exactly 19.5 per cent of the factory population in each of the three last censuses. Children constituted 2.5 per cent.

Wage earners do not increase relatively in anything like the proportion that salaried employees do. The gain of the former in 10 years has been 40.4 per cent; of the latter 117 per cent.

It is true of all highly developed countries that the number of persons employed to handle, sell, and promote the sale of commodities increases far more rapidly than the number of persons who make things. This will help to explain the rise in the cost of living.

The number of wage earners does not increase proportionately with the increase of capital.

**Increase of Office Population.**

Capital has increased 45.4 per cent in 5 years and 106.3 per cent in 10 years. Big capital now controls industry, and the figures are truly amazing.

In 1904 nine-tenths of 1 per cent of the establishments turned out 38 per cent of the product, and in 1909 1.1 per cent turned out 48.8 per cent of the product. Each of these establishments produced values in excess of $1,000,000, and there were 1,900 of them in 1904 and 3,061 in 1909.

Counting the establishments producing more than $100,000 in 1909, they pay 89 and work 89. In 1904 312 establishments had to be satisfied with the levings of 17.8 per cent of the product.

The average salary drawn in 1890 was $1,064; in 1900, $1,187. These salaries are not classified in this report, as similar salaries for the hands are not computed by the Interstate Commerce Commission. It is therefore impossible to tell just what rank of employees drew the increase. There is plenty of evidence, however, from common observation that the average poorly paid 89 or for any employees has had no raise in the last 10 years.

The relative share of the workers is getting smaller.

Wage earners received more money in 1899 than they did in 1904. Their average in the former year was $477, in the latter $518, a difference of $41 or about 79 cents a week. The figures are not yet classified for men, women, and children, and so we can not tell where the greater rate of increase has gone, though the probability is that it has gone to the men.

The value added to production (that is, the value of the product less the cost of materials) averaged $1,150 for each wage earner in 1904. It now averages $1,250. But the relative share of the worker in the value of his product is less than it was in either 1890 or 1904.

Here are the comparative figures:

<table>
<thead>
<tr>
<th>Year</th>
<th>Wages</th>
<th>Not production</th>
<th>Worker's share</th>
</tr>
</thead>
<tbody>
<tr>
<td>1890</td>
<td>$426</td>
<td>$1,025</td>
<td></td>
</tr>
<tr>
<td>1904</td>
<td>477</td>
<td>1,150</td>
<td>45.1</td>
</tr>
<tr>
<td>1905</td>
<td>518</td>
<td>1,250</td>
<td>42.1</td>
</tr>
</tbody>
</table>

**Insecurity of Employment.**

One of the particularly brutal elements of capitalism is shown by the figures for the seasonal variations in the amount of employment in the various great industries. Capital can not keep its workers employed.

When it wants them it wants them bad; and when it does not want them it does not want them. Yet they do not want them. In some of the industries the variation in the state of employment is only moderate.

In printing and publishing, for instance, the lowest number employed was 58 in 1899, 61 in 1904, and 70 in 1905. But the relative share of the workers has been less than it was in either 1899 or 1904.

**Competition and Labor.**

Thus competition has come to have a fearful meaning to the working class.

On the one hand it compels the employers to get their labor as cheaply as possible, on the other hand it compels the workers to compete with one another for jobs. Competition among the workers has become, therefore, a cutthroat competition. It is a question as to whether a man is to live and who is to starve. It is often a question as to whether a man is to live and who is to starve.

And the tariff has nothing to do with that question, either. Nor can any individual capitalist or employer, no matter how charitable inclined he may be, change anything in these conditions. A business or corporation that should try to run its plant on a charity basis would not last long.

As a matter of fact, under the present system it is usually the worst employer who sets the pace. The employer who can fleece and skin his workmen best is best equipped for the fight in the open market. He can produce his goods the cheapest.

**Wages and Child Labor.**

In many cases now the laborer is compelled to disrupt his family and send his wife and children to the shop or factory.

For this is the great curse of machinery—or rather of the individual monopolies of machinery—that capital can be coined out of women, and even out of infancy. Thus not alone are the workers turned into wares, covered by demand and supply, but they are also made to scramble for a precarious living with the wives, sisters, and children.

The evil of child labor is especially glaring down South, where my Democratic friends rule absolutely.
Lewis W. Hine, while taking photographs of the employees of the canneries for the National Child Labor Committee, says that he personally interviewed 13 children from 8 to 5 years old, 23 from 6 to 8, and 15 from 9 to 11, and that he counted in all 125 boys and girls whom he judged to be from 8 to 12 years of European extraction.

No human being knows how many children under 10 are employed in the canning industry in the United States or in the numberless industries carried on in tenement houses in our great cities. But all are at least familiar with the subject that there are thousands.

The Democratic South leads in infant labor.

In six Southern States nearly 1,000 children from 7 to 11 years old were found working in cotton factories by agents of the United States Labor Bureau, whose investigation covered about one-fourth of the cotton industry of these States.

It is conservative therefore to estimate that 5,000 children from 7 to 11 years old are prolonging their infancy in the cotton mills of the South.

And yet this is the economic basis of the wage system.

The Socialist Vice.

Therefore we say the wage system was a step in the evolution of freedom, but only a step. Without solidarity and labor associations, the wage system would produce a social state lower than that of feudalism.

Social freedom, complete justice, can be accomplished only by the collective ownership and democratic management of the social means of production and distribution.

We realize that all this can not be brought about by a single stroke by a one-day’s revolution. But we know that all legislation, in order to be really progressive and wholesome, must move in that direction—must be in accordance with the modern economic progress.

The Only Party Keeping Step with the Time.

And the one party that is in accordance with the trend of the time is the Socialist Party. That is the reason why all the “progressives” are simply trying to appropriate some of our minor planks.

With the Socialists, political issues are of minor consequence; economic issues are of paramount importance.

Direct Legislation Only a Change in the Mechanism.

We refuse to be diverted or led astray by mere political reforms like the Initiative, referendum, and recall. Each in itself is a good enough reform. Each of them has been agitated for a long time by the Socialists and forms a part of our program to-day.

More changes in the mechanism of expressing the will of the people are secondary importance when compared with any change in the economic conditions of the people.

We want the initiative. But we want much more, to secure an old-age pension for every workingman and workingwoman of 60 and over.

We stand for the referendum. But insurance against being out of work is of much more value.

We agitate for the recall. But State help for orphans—at least for those who have no fathers—and assistance for working women during the period of child bearing, is infinitely more useful to the race than the right to recall a judge.

The bourgeois reformer, even when well meaning, does not understand us. He lacks our class consciousness.


Of the political reforms a new Constitution is most important. As long as we have the old Constitution, thorough social reforms are almost impossible.

No matter how good and beneficent a law may be, it will, as a rule, be declared unconstitutional by the Supreme Court. Our Constitution was framed at a time entirely different from ours, and it contained different conditions—and good laws suited to the present conditions are really unconstitutional.

When our Constitution was framed this was a Nation of frontier farmers and hunters, with a few merchants in the seaports.

There was no machinery used. There was no manufacturing to speak of. There were no railroads; no telegraphs.

There were no millionaires and no proletarians. There were no contradictions in the present sense—a corporation in those days meant a city.

And there were no trusts, of course.

If Washington, Jefferson, Madison, and Hamilton could get up as they would say, they would not know the country we live in a different world.

And yet we have to wear the same political cloak. We must live under the same Constitution.

In other words, a grown-up nation has to wear its baby cloak. It does not fit anymore. It is being torn and patched in the most ridiculous way by “decisions of the Supreme Court,” in order to make it do, yet, anybody who dares to suggest a new suit is considered a traitor by the “interests.”

A New Constitution or a Bloody Revolution.

But we must have a new Constitution or we shall have a bloody revolution. Yet, though political reforms are necessary, they are of little account when compared with the necessity of changes in order to keep step with the development of economic conditions.

The Trusts and the People.

The economic changes are upon us.

We see the trusts not only doing away with competition, but also asking for Government interference and for Government regulation of prices.

In other words, we have the spectacle of the trusts surrendering part of their ownership and practically offering that part of the ownership to the people.

Thus the trusts, or at least some of the trusts, are willing to part with their ownership because they feel that their business has ceased to be a private concern. Because the trusts feel that their business has become a public utility of the most public and utilitarian sort.

Working Class Becoming Revolutionary.

But the change is also coming from the other side.

The great majority of the people have no interest in keeping up the present system. And especially the working class is becoming revolutionary as before.

Our workingmen to-day build a few palaces and many hovels. The workingmen live in the hovels and the few capitalists in the palaces.

Our workingmen in the woolen mills make a small amount of fine clothes and millions of yards of shoddy. The workingmen wear the shoddy and the rich idlers wear the fine clothes.

Workingmen and their children have to go down into the mines, workingmen and workingwomen and their children have to go into dingy, ill-ventilated factories and workshops and toil from 8 to 12 hours a day. They must ruin their health by over-work, so that a few people who have the money may ruin their health by too much leisure.

The majority now degenerates through poverty so that the small minority shall be able to degenerate through luxury.

The Ruling Class of Former Days.

Again, I say, the great majority have no interest in keeping up the present system.

There is this also: In former epochs the ruling class was by far the able and stronger—physically and mentally.

In former years a few nobles, clad in ermine—and trained and accustomed to warfare—and held in subjection 20 times their number of common people.

The ruling class only was at that time in the possession of the wisdom of the world—whatever wisdom the world had.

The ruling class at that time also had in its favor the belief that this system was God-ordained, and that anybody rebelling against it was a rebel to God.

The Ruling Class of To-Day.

Things are different nowadays.

The working class not only builds the houses, ships, and machines, but the working class also teaches in the public schools and colleges, and writes and prints our literature. Not only the man who sets up the type for the papers and the books, but also the man or woman who writes them usually belongs to our class.

The capitalist class depends upon us for a living, for information, and for defense.

The ruling class surely has no better fighting qualifications than we. It is our class that has to furnish most of the men in case of war, although the capitalists may start the war and control the bonds. Even in order to hold the working class in subjugation, the capitalists have to hire such workingmen as are for sale to do the fighting for the rulers.

We deny that the capitalist class is our superior in any way.

And as long as the public schools exist, and men and women are learning how to read and write, no priest or clergyman will ever be able to make us believe again that this system is God-ordained. We will firmly hold it is God-ordained that a trust magnate shall have fifty or sixty million dollars a year, or more, and that his employees should earn $1.75 a day on the average.
AND WE ARE MANY.

Moreover, we have the ballot. No subject class in history every had the same political basis as the ruling class. The modern proletariat is the first.

No other party that has grown like ours during the last four years.

NO OTHER PARTY HAS GROWN LIKE OURS.

In short, the future belongs to the working class. Nothing can stop us. All we have to do is to organize our forces. There is no other party that has grown like ours during the last four years.

WHY WE ADVOCATE REFORMS.

And, I want it declared, the Socialistic Party, while it is revolutionary in its final aim, is none the less distinctly evolutionary and constructive in its method. We welcome all kinds of reforms that are real reforms—not political baits.

Some reforms of all kinds are welcomed by the Socialist for many reasons.

In the first place, by reforms we can stop the increasing pauperization and consequently also the enervation of the masses of the people. If real reforms are seriously taken up and carried out with determination they uplift the masses to a considerable extent.

But the main reason for our favoring social reforms is that such reforms, if logically carried out, offer the possibility of a peaceful, lawful, and orderly transformation of society.

THE SOCIALIST PARTY IS THE ONLY TRUE REFORM PARTY.

The Socialist Party, therefore, is the only true reform party in existence. We agitate for the organization of the masses. And organize everywhere in order. We educate, we enlighten, we reason, we discipline.

And organization everywhere means order.

THE GOLDEN RULE.

It is, therefore, absolutely false to represent our Socialist Party as destructive, as intending to overthrow and annihilate society, as an appeal to the brute passions of the masses. It is, simply, an appeal to the brute passions of the masses.

We educate, we enlighten, we reason, we discipline. Besides order we bring also law, reason, discipline, and progress to men and women who have been torn from their old conditions by capitalism—and who would become Apaches.

THE CRUSADE.

Just the opposite is true. Our Socialist Party wants to maintain culture and education and carry them to the homes of every worker of the land.

Our party wants to guard this Nation from destruction and bring it to a level hitherto unknown in history.

We appeal to the best in every man, to the public spirit of the citizen, to his love of wife and children. [Applause.]

Both Republicans and Democrats have voted for the so-called labor bills.

Mr. ANDERSON of Ohio. I have always had great admiration for the gentlemen from Wisconsin, knowing him to be very conciliatory and liberal minded in all matters; but I want to ask him if he does not give the Democratic Party credit for the passage of the eight-hour bill, the Child's Bureau bill, anti-lead bills, and the Pure Food and Drug law.

Mr. BERGER of Ohio. The gentleman is mistaken about that. I think he will find that the Pure Food and Drug law was not a bill carried by the Republican Party, but was carried by the Democratic Party.

I want to ask him if he does not believe that the Democratic Party has introduced some fair-looking bills in the House in the Sixty-second Congress, and that the Republicans, being also good politicians, have voted for them. I want to give the gentleman credit where credit is due.

The gentleman union is the most important of all. It is the only way to advance any legislation.

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Mr. BERGER of Ohio. I will yield first to the gentleman from Ohio, Mr. ANDERSON, then to the gentleman from Alabama, and then to the gentleman from New York, and afterwards to every other Member who may want to ask a question.

Mr. ANDERSON of Ohio. I think the gentleman will admit that the Democratic Party has passed more bills in the interest of labor than have been passed by this House in the last 20 years.

Mr. BERGER. I do not admit that. I said the Democratic Party has voted for some so-called labor bills, but so did the Republican Party, and so did the only representative of the Socialist Party in Congress.

Mr. ANDERSON of Ohio. Then he admits that this is good legislation?

Mr. BERGER. I admit that some bills that have been passed in this House are far better bills than they were. Otherwise I should not have voted for them. They do not, however, add to the standard of living of the American working class. They are of ridiculously small importance, considering the magnitude of the labor question.

SOCIALIST HOUSE WOULD NOT HAVE WASTED TIME.

Mr. ANDERSON of Ohio. If the House had been Socialist it would undoubtedly have voted for the same bills.

Mr. BERGER. If the House had been Socialist it would not have wasted time with insignificant palliatives of that kind, because it would have taken up legislation of a million times greater importance.

WOULD PENSION THE VETERANS OF INDUSTRY OUT OF THE SURPLUS THEY CREATE.

Mr. ANDERSON of Ohio. If the House had been Socialist, would it have passed the Sherwood pension bill?

Mr. BERGER. No; because we would have pensioned not alone the old soldiers but everybody who

Mr. ANDERSON of Ohio. Mr. Speaker, just one question more. The gentleman said that if the Socialist Party had been in power they would have pensioned everybody. I want to ask the gentleman who said the party would not have supported the Sherwood pension bill pensioning the defenders of this great country, that it would refuse to pension the soldiers but would pension everybody, Members of Congress as well as everybody else, where would the gentleman get the money to pension everybody?

Mr. BERGER. Mr. Speaker, I wanted to say that by pensioning everybody who did some useful work in their earlier manhood or womanhood it would be useless to pension the old soldiers. The old soldiers have done some useful work besides being soldiers in a war. I honor every man who went to the war to free the black man and to save the Union, but I honor just as much the men and women who are fighting for civilization every day—the men and women who are making our civilization possible.

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Official figures show that 35,000 are annually slain in the industries of this country, leaving the families and needs of thousands that are the victims of occupational diseases.

Do you not think that a man who works for the welfare of the Nation on the battle field industry is taking as many chances as the man going to war? And that the worker is doing more necessary work than the soldier?

Moreover, the old working people who will get the pensions will have paid for them during the time they worked. In fact, they will have paid for the pensions many times over before they got them.

As I stated before, in 1909 every workingman and working woman added about $1,290 worth to the Nation's wealth and income. [Applause.]

The pensions should be paid from the surplus value the capitalist class is getting.

Mr. ANDERSON of Ohio. The gentleman said he would pension everybody.

Mr. BERGER. Everybody who needs it—every aged worker in every field of industry. Members of Congress only if they should be in want at the age of 60. [Applause.]

Mr. ANDERSON of Ohio. Then the gentleman modifies his statement. He does not mean to pension the Rockefeller and the Carnegies.

AS TO THE EIGHT-HOUR BILL.

Mr. FITZGERALD. Will the gentleman yield?

Mr. BERGER. I will yield to the gentleman from New York.

Mr. FITZGERALD. Does not the gentleman from Wisconsin know that until the Democrats got control of the House of Representatives neither the Republicans nor Democrats nor Socialists could get a chance to vote for an eight-hour bill?

Mr. BERGER. I do not know anything of the kind.
Mr. FITZGERALD. If the gentleman will permit me to inform him, I have served in the House 14 years, and until the Democrats got control of it an eight-hour bill could not be reported from the House. I hope, sir. 

Mr. BERGER. And I want to inform the gentleman from New York, if I may, that the first eight-hour bill was passed in 1884 by a Republican House. [Applause on the Republican side.]

Mr. FITZGERALD. If there is a Democratic administration, there will be no fault found with it. 

Mr. BERGER. Then the gentleman thinks the Supreme Court decides questions of law according to politics? 

THE DEMOCRATIC SOUTH AND THE PROTECTIVE TARIFF. 

Mr. BUCHANAN. Will the gentleman yield? 

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Illinois? 

Mr. BERGER. I believe I should yield now to the gentleman from Alabama [Mr. HOBSON]. He asked me first. 

Mr. HOBSON. I know the gentleman has a logical turn of mind, and the gentleman's party prides itself on its unanswerable logic. I simply want to ask the gentleman to point out the logical consequence of the view he has taken. What effect can the tariff have in protecting unorganized, colored labor? 

Mr. BERGER. I hope the gentleman from Alabama will not make a speech. My time will soon be up. 

Mr. HOBSON. I am coming to the question. The gentleman said that the South was coming to stand for the principle of protection in order to protect their infant industries against competition. I will ask him how they could get protection against the giant industries within, and since they can get no protection from those, what effect can the tariff have in protecting the South when we already have the giant industries of the North in direct competition with them? 

Mr. BERGER. We look at the tariff from the point of view of political economy. We know that agricultural countries subsidize manufacturers by a tariff in order to encourage them to build factories and invest their capital. From this capital point of view a high tariff is always necessary at first to protect young industries. 

The North developed factories first. Naturally the North asked for protective-tariff legislation first, and got it. Now, just as certainly as I do not blame the South—the South is trying to get high-tariff legislation for the manufacturers of the South, and I do not blame the gentleman from Alabama— 

Mr. HOBSON. I hope the gentleman will come to my question. The gentleman just at this time. Does the gentleman agree that a workingman, for instance, cotton, is raised right here, and the cotton factory of the South saves the freight, of course. Furthermore, the South has cheap labor, unorganized labor, colored labor; it also has longer hours than the North. Then, you have woman and child labor in some cases children from 3 to 11 years old are at work. ["Oh, no!"] 

Well, in many Southern States that is the case in the cotton and in the canning industries. I do not mean to say that there is child labor here, and I do not blame the South— 

Mr. HOBSON rose. 

Mr. BERGER. Mr. Speaker, I am not quite through. 

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. HOBSON. Mr. Speaker, I ask unanimous consent that his time be extended for 15 minutes. 

Mr. MILLER. Make it 30 minutes. 

The SPEAKER. To the gentleman from Alabama asks unanimous consent that the time of the gentleman from Wisconsin be extended for 15 minutes. 

Mr. GREENE of Massachusetts. Mr. Speaker, I ask that it be made 30 minutes. 

Mr. HEFLIN. Mr. Speaker, I shall object to an extension of over 10 minutes. 

The SPEAKER. Is there objection to extending the gentleman's time for 30 minutes? 

Mr. ALEXANDER. Mr. Speaker, I object to a longer extension than 10 minutes. 

Mr. MAX. Mr. Speaker, then I ask unanimous consent that the time of the gentleman be extended for 10 minutes. 

The SPEAKER. Is there objection to the request of the gentleman from Illinois that the gentleman from Wisconsin proceed for 10 minutes? [After a pause.] The Chair hears none. 

Mr. HOBSON. Mr. Speaker, I was just going to say to the gentleman that all of those items of production to which he has referred and which he has enumerated are true; that the South has advantages, but they tend to the South. 

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Alabama [Mr. HOBSON] be extended for 10 minutes. [Laughter.] 

The SPEAKER. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Alabama be extended for 10 minutes. Is there objection? 

SOUTHERN MANUFACTURERS MAY COMPETE AT THE EXPENSE OF THE RACE. 

Mr. HOBSON. Mr. Speaker, I will not need that. I thank the gentleman from Alabama for his speech, but I will say to the gentleman from Alabama that if it were not for the elements mentioned even a high tariff could not protect the South, but with those elements in existence the South may try, for a while at least, to successfully compete with the giant trusts. Of course it is a fight at the expense of humanity—at the expense of the race. Moreover, very soon the war will be found unprofitable and the combatants will unite. As a confirmation of my statement that the South is beginning to ask for protection, the gentleman need only read over some of the discussions on the various tariff bills introduced by the Democrats themselves. 

WHAT MR. BUCHANAN WANTS TO KNOW. 

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield? 

Mr. BERGER. Certainly. 

Mr. BUCHANAN. Mr. Speaker, the gentleman in his speech spoke of the working class and the capitalist class. 

Mr. BERGER. And I hope the gentleman from Illinois knows that there are such classes in existence. 

Mr. BUCHANAN. I shall not take issue with the gentleman in regard to that at this time, but I want to ask his definition of these classes. Does the gentleman define the working class as being composed of those who work for wages alone? I want to give the gentleman an example of what some would call a business man. 

Mr. BERGER. Oh, I do not want a speech from the gentleman just at this time. 

Mr. BUCHANAN. And I do not want to make a speech either. In my locality we have a man who is running a grocery store. His wife and daughter work in that grocery store. He also works long hours, early and late. He is in fact a workingman. Does the gentleman agree that a man who operates a business of that sort is a workingman or a capitalist? 

THE THREE CLASSES OF MODERN SOCIETY. 

Mr. BERGER. Mr. Speaker, of course our present society does not only divide into classes; there are three classes. We have the working class, the middle class, and the capitalist class. The lines are not very closely drawn in our century and our country. In some cases the workingman may have a little business on the side, or a capital of a very small amount. The workingman agrees that a man who works for wages alone is a workingman or his income in the form of a salary, but as a whole it is safe to describe the division between classes as originating from the way a person derives his or her income.
working in schools and offices, through working for an annual salary. It is always work for pay—either work with hands or with brains, or with both, that gives the wage worker his status in society.

The middle class derives its income from rents and profits, either by buying and selling, or by employing a small number of men, women, and children.

The capitalist class derives its income in the same way on a larger scale, because controlling the means of transportation and communication, most of the natural resources, and the banks.

Of course different men have made different demarcations. But all agree that the smallest class in number but greatest in wealth is the capitalist class, which controls the capital of the country—that part of the surplus value which is now used to create more surplus value instead of being used to give comfort to the people.

AS TO MEMBERSHIP IN THE SOCIALIST PARTY.

Mr. BUCHANAN. I want to ask if the gentleman does not believe that Abraham Lincoln, who was the leader of the Republican Party during the war at the time the slaves were freed, would also exercise his influence if living to strike the shackles from the industrial slaves of today?

Mr. BERGER. He would, if he lived today. Lincoln would, in my opinion, be a socialist, if he lived today.

Mr. BUCHANAN. Then, after all, it is not so much in the party as the men who control the party.

Mr. BERGER. No. Men are the second consideration, principles are the first. Good men are necessary, of course, to carry out these principles. But good men are useless or dangerous in the wrong party.

If you want to ride horseback, you will not take a donkey.

Mr. BUCHANAN. Is it not a fact in this country, where the workingmen have the bulk, their troubles are largely due to their own inactivity in politics, and if they would exercise their united influence in politics it would put them in the position of controlling any party for themselves?

Mr. BERGER. Yes.

Mr. Speaker. Every party must be worth controlling. It must stand for what a certain class or a certain group wants that party to stand, and must be made up accordingly.

Mr. BUCHANAN. And would not any party serve their purpose if the working people would control them?

Mr. BERGER. No! No! No! If you want to ride horseback, you will not take a donkey. [Laughter.] The two old parties represent the same interests of the capitalist class. Both of these parties are made up accordingly. They can never represent the working class.

The Democratic Party and the Republican Party have certain principles, certain ideas for which they stand. Their aim, their platform is capitalist. They could not abolish the present system of exploitation without abolishing themselves. You can not expect a tiger to eat grass nor a gray wolf to live on berries. [Laughter.]

HONEST CAPITALIST LEADERS ARE LOYAL TO CAPITALIST INTERESTS. The more honest the leaders of the old parties are, the more they will try to abide by the principles of their platform; the more loyal they will be to the capitalist interest, which they represent.

GOAL OF SOCIALIST PARTY.

Mr. CLINE. Mr. Speaker, I understood the gentleman to say in his address that the Socialist Party was in favor of common ownership of most of the agencies of production and distribution.

Mr. BERGER. For the collective ownership and the democratic management of the agencies of production and distribution.

Mr. CLINE. I want to understand to what extent you carry that doctrine, and who and how are the beneficiaries to derive the profits of it.

Mr. BERGER. Well, the Socialist Party stands for the collective ownership of the social means of production and distribution.

Mr. CLINE. How are you going to evolve the system?

A NATURAL AND SCIENTIFIC ORGANIZATION OF SOCIETY.

Mr. BERGER. We believe that everything that is necessary for the life of the Nation, for the enjoyment of everybody within the Nation, the Nation is to own and manage. Therefore we shall take over the trusts, over the banks, over the railroads, mines, telegraphs, and other monopolies of national scope. Everything that is necessary for the life and development of the State the State is to own and manage. There are certain business functions that the State will have to take care of, like interurban lines, for instance. Everything that is necessary for the life and development of a city the city is to own and manage, like, for instance, not only street cars and light and heating plants, but also abattoirs, slaughter houses, bakeries, cigarmakers, manufacturers of silk, and so forth. Everything that the individual can own and manage best the individual is to own and manage. That is simple enough.

In other words, the trust as a business has reached a stage where it is unsafe in private hands; it is a menace to the Nation as long as it is in private hands. It can only be managed by the Nation for the profit of everybody. The same holds good for certain private monopolies in cities, as far as the cities are concerned.

THE NATION COULD GET THESE PROPERTIES RATHER THAN THE TRUSTS GET THEM.

Mr. CLINE. How are you going to change the present economic basis? Give us a concrete statement of that proposition.

Mr. BERGER. That would be enough for a question. [Applause.]

GOOD MEN DANGEROUS IN BAD PARTY.

Mr. BUCHANTIN. I want to ask if the gentleman does not believe that the trust properties in the same way as the trusts got them. The trusts paid for their properties almost entirely in watered stock, preferred and common. We can give the best security in existence today—United States bonds.

Mr. CLINE. Have the Government buy them?

Mr. BERGER. Have the Government buy the trust properties. Why not? But pay only for the actual value. That will be paid for out of the profits of these trusts in a very short time.

MR. BARTHOLOMCT MAKES A STATEMENT.

Mr. BARTHOLOM. Will the gentleman yield?

Mr. BERGER. Yes, for a question.

Mr. BARTHOLOM. I merely wish to make a correction here. It may not be important to the gentleman from Wisconsin, but it is of some importance to the people who are to judge between the two parties—the Democratic and the Republican Party. I wish to say that the original eight-hour law was placed upon the statute books by the Republican Party, signed by a Republican President; that since that time a bill which has recently been reported three times to this House by a Republican Committee on Labor and was passed twice by a Republican House and was hung up in the Senate. I merely state that as a correction.

Mr. BERGER. That is not a question, though.

Mr. DYER. It is information, though.

MR. ANDERSON ASKS ONE MORE QUESTION AND GETS AN UNEXPECTED ANSWER.

Mr. ANDERSON of Ohio. Mr. Speaker—

The SPEAKER. Does the gentleman yield to the gentleman from Ohio [Mr. ANDERSON].

Mr. BERGER. I will not.

Mr. ANDERSON of Ohio. For just a short question. I have always taken a great interest in matters of labor legislation—

Mr. MANN. We agree to that; do not tell us that.

Mr. ANDERSON of Ohio. Speaking of the eight-hour bill, the gentleman claimed that he voted for all labor measures. Now, the bill went to the Senate and was amended, and when it came back was the gentleman present and did he vote for that bill, or was he in Indianapolis?

Mr. BERGER. Supposing I did go to the national convention of the Socialist Party. I was surely doing as good work in Indianapolis for the welfare of the country as I do here. It was fully as important that I should attend a convention of the Socialist Party as to vote for some of the demagogical and insincere bills put up here by the party of the gentleman from Ohio [Mr. ANDERSON], in order to catch the labor vote for capitalism and the Democratic Party. In fact, it was more important for me to be in Indianapolis.

MR. MANN’S PINE MEMORY.

Mr. ANDERSON of Ohio. That does not answer the question.

Mr. MANN. The gentleman from Wisconsin may not have been here, but the gentleman from Ohio certainly was not. [Applause and laughter.]

The SPEAKER. The time of the gentleman has expired.

Mr. BERGER. I thank you one and all, gentlemen. [Loud applause.]
Mr. HOUSTON. Mr. Speaker, I desire to call up the conference report on the bill (H.R. 21477) authorizing the Director of the Census to collect and publish statistics of cotton, which was read and referred to the Committee on Agriculture.

The SPEAKER. The Clerk will report the conference report.

The conference report is as follows:

CONFERENCE REPORT (NO. 1019).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 19403) authorizing the Director of the Census to collect and publish statistics of cotton, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the report of the said amendments in the accompanying conference report:

Amendments No. 1 and 2: The bill as passed by the House provides for the collection of certain cotton statistics monthly; the Senate amendments No. 1 and 2 provide for the collection of those statistics quarterly each year. Those were the only amendments made by the Senate, and the Senate recedes from them and leaves the bill as originally passed by the House.

W. C. HOUSTON, Nin. HO. SMALL, E. D. CRUMPACKER, Managers on the part of the House.

The motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 21477) authorizing the Director of the Census to collect and publish statistics of cotton, with the following statement:

The Senate recedes from its amendments numbered 1 and 2.


Mr. HOUSTON. Mr. Speaker, I move that the House concur in the conference report.

The motion was agreed to.

Mr. RAINEY. Mr. Speaker, I ask unanimous consent to insert in theRecord some brief extracts from a recent issue of the American Anti-Socialist regarding the question of socialism—

Mr. BERGER. Where?

Mr. RAINEY (continuing). Which recently was reported in the Chicago Daily Socialist, and which I think you made at the last session of your party and which would show what would be likely to happen to small farmers under socialism. I am also asking to insert in the Record, in connection with your speech, a line of books to read on the subject of socialism, which record, I believe in the American Anti-Socialist, so that we may have both sides of it.

The SPEAKER. Is there objection?

Mr. AUSTIN. I object.

Mr. RAINEY. Does the gentleman from Tennessee [Mr. AUSTIN] believe in socialism?

Mr. Speaker, I ask unanimous consent to insert these articles in theRecord.

Mr. RAINEY. The gentleman from Illinois [Mr. RAINEY] asks unanimous consent for sufficient time in which to read the article which he desires to have inserted in the Record.

Mr. AUSTIN. I object.

Mr. RAINEY. Then I ask unanimous consent to extend my remarks in the Record on the subject.

Mr. AUSTIN. I object.

Mr. RAINEY. I have no objection to the objection of a man who is in favor of the Water-Power Trust.

ORDER OF BUSINESS.

Mr. HENRY of Texas. Mr. Speaker, I offer a privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 637 (H. Rept. 1028).

Resolved, That the following bills shall be considered as privileged and come up at the same time for consideration as bills coming from committees having leave to report at any time, the consideration thereof, however, not to interfere with appropriate bills, or conference reports, to wit: H. R. 25678, a bill to abolish the import duty upon seed potatoes imported upon suspension in the merchant marine of the United States while in foreign ports and the involuntary servitude imposed upon the seamen of the merchant marine of foreign countries entering ports of the United States, to prevent unskilled and untrained American vessels, to encourage the training of boys in the American merchant marine, for the establishment of a Coast Guard to prevent the importation of nursery stock and trees, and for other purposes; H. R. 15307, a bill to provide American registers for seagoing vessels wherever built and to be engaged only in trade with foreign countries and with the Philippine Islands and the islands of Guam and Tutuila, and for the importation into the United States free of duty of all materials for the construction and repair of vessels built in the United States, and for other purposes; H. R. 24095, a bill to amend sections 4400 and 4483 of the Revised Statutes, relating to inspection of steam vessels, and section 1 of an act approved June 24, 1910, requiring apparatus and operators for radio communication on certain ocean-going steamers; H. R. 25671, to establish agricultural extension departments in connection with agricultural colleges in the several States received the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto; H. R. 22565, a bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes; and which is entitled to 15 minutes.

Mr. HENRY. Reported by the Committee on Agriculture.

Mr. MANN. Yes; reported by the Committee on Agriculture, with a unanimous report.

Mr. HENRY of Texas. I shall not object to that.

Mr. MANN. Some gentlemen are very anxious to have it considered, if there is any chance. Extracts from the speech of the gentleman [Mr. BERGER] on the subject of socialism—

Mr. BERGER. Where?
Mr. HENRY of Texas. Mr. Speaker, I shall make no objection. If the gentleman wants to make a request to include it, it is his privilege.

Mr. MANN. Mr. Speaker, I ask to amend the resolution by adding to the description of the bills, at the end of the description, H. R. 24119, with the title, "An Act to protect the farmers, the agricultural interests for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes."

The SPEAKER. Will the gentleman please send that bill up?

Mr. MANN. It is No. 223 on the Union Calendar.

The SPEAKER. The Clerk will report the amendment.

The SPEAKER. Add, at the end of the rule, "H. R. 24119, to regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish quarantine stations, to maintain, control, and regulate the movement of plants, and plants and plant products, and for other purposes.

Mr. HENRY of Texas. Mr. Speaker, I move the previous question on the resolution and amendment thereto.

The SPEAKER. The gentleman from Texas [Mr. HENRY] moves the previous question on the resolution and amendment thereto.

Mr. RODDENBERY. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. RODDENBERY. Is it in order, Mr. Speaker, to ask the gentleman at this time whether he will agree to the offering of an amendment to include the immigration bill?

Mr. HENRY of Texas. Mr. Speaker, I ask for the previous question to have 30 minutes to offer a side for debate for the previous question is ordered. There has been no debate.

The SPEAKER. The gentleman from Texas moves the previous question.

The previous question was ordered.

The SPEAKER. The gentleman from Texas has 20 minutes and the gentleman from Wisconsin [Mr. LENROOT], in the absence of the gentleman from Pennsylvania [Mr. DAZELLE], will have 20 minutes.

Mr. HENRY of Texas. Mr. Speaker, unless some one asks for an explanation, I think we might as well vote on the resolution.

Mr. RODDENBERY. Mr. Speaker, the gentleman seems to have ample time at his disposal for discussion of the rule. If the gentleman from Texas can not yield me 10 minutes, I should be glad to have 10 minutes from the gentleman from Wisconsin.

Mr. HENRY of Texas. The gentleman from Missouri [Mr. ALEXANDER] desires time to make a statement.

Mr. ALEXANDER. Mr. Speaker, I have no objection to giving the gentleman from Georgia five minutes.

Mr. HENRY of Texas. I will yield five minutes to the gentleman from Georgia.

The SPEAKER. The gentleman from Georgia is recognized for five minutes.

Mr. RODDENBERY. Mr. Speaker, the adoption of this rule is undoubtedly for the purpose of facilitating legislation; but I desire to call the attention of the House to the fact that in the Democratic side, to the fact that included in this special rule are some measures of recent origin, the necessity for whose consideration is likewise of recent origin. Some of them have not been considered before any committee in their present form until recently.

We find in the Republican platform of 1896 language committing that party to the passage of a law to protect American labor against the poor immigrants from Europe. In that platform this party declares that the reading and writing test is one of the ways of attaining the desired end. The Republican Party has passed through the Senate just such a bill, and it is now formally before this House.

In 1896 the Democratic platform said in words:

"We hold that the most efficient way of protecting American labor is to prevent the importation of foreign laborer to compete with it in the home market."

There is a bill which has been reported from a Democratic committee of this House for more than two months carrying into execution that pledge of the Democratic platform of 1896. Sixteen years ago, with our party in power, that language in our platform we had no power to perform. To-day, for the first time, the Democratic Party is in a majority in the House of Representatives, and a Democratic committee has reported to this House a bill carrying into effect our pledges to the people on this question. The Republicans, with much tardiness, have performed their part in the Senate. The best evidence of whether we will keep our pledges to the people on this question whether the three branches of the Government will enforce their pledges, and whether we will control one branch of the Government. Do you propose now to bring in these special rules, and yet leave out the fulfillment of this platform pledge as embodied in a bill reported by your committee and this house?

The American Federation of Labor, the Junior Order of United American Mechanics, the Farmers' Educational and Industrial Union of America, the United Triangle of America, and dozens of other patriotic organizations in this country have burdened the records of our Congress with a hundred thousand petitions calling for this legislation.

Mr. RODDENBERY. If the gentleman's friends who are controlling the time will yield me five minutes, I will gladly do so.

Mr. BARThold. I have no control over the time.

Mr. RODDENBERY. I decline to yield. Does the Democratic Party think that because of alien pressure working on our Rules Committee and through other agencies it can defer the legislation now and still have the friends of this bill understand that we propose to enact it? I say to my Democratic friends, deal honestly and squarely. Do not dodge in the face of a presidential election. Do not try to please the foreign plu­gilist by putting it off and then appeal to the friends of the bill by telling them "We will take it up later on." Rise, like the party of Jefferson should rise, to meet the issue. If we are ever to protect American labor, we must protect the foreign horde, go now, when we have the power and do it.

Mr. GOLDFogle. Will the gentleman yield?

Mr. RODDENBERY. I can not, although I would be glad to yield the time. Like other gentlemen, I am merely in order to permit this bill to die in committee and decide either its friends or its foes. Let no special manipulation defer this vital and burning problem in utter defiance of the will of the people and our platform pledges. Do not expect not to ap­prove it. This is wise legislation. The masses of the people in this country demand it. Our social conditions demand it. Economical conditions demand it. Moral betterment demands it. The committee which has published 40 volumes has reported in full long before a year ago that they recommend this legislation. How much longer do you propose to defer it? [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. HENRY of Texas. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, it is not my purpose to debate the House by any discussion of the rule. The Chairman of the House wishes to inquire with reference to any of the bills included in the rule, if it is a bill that comes from the Committee on the Merchant Marine and Fisheries, I should be glad to answer. Of the bills from this committee, the one known as the seamen's bill is the first.

Mr. MADDEN. Will the gentleman explain what that bill provides?

Mr. ALEXANDER. Generally it provides for better conditions at sea for American seamen; undertakes to abolish the law which punishes seamen for desertion. It provides that the vessels shall be increased from 72 cubic feet to 100 cubic feet— that is, a vessel heretofore constructed. It provides that hereafter a certain percentage of the crew of the vessel shall be able seamen, and the percentage shall be increased each year thereafter until 75 per cent of the deck crew shall be able seamen. It provides that treaties with foreign countries which provide that we shall enforce their law with regard to the arrest of deserting seamen shall be repealed.

Mr. MANN. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MANN. The bill which the gentleman refers to has 17 sections and covers 15 pages and is a House Calendar bill. What is the gentleman's purpose with reference to debate on the bill? Of course the gentleman can move the previous question on that bill if this rule is adopted.

Mr. ALEXANDER. I have had an interview with the gentleman from Massachusetts [Mr. GARRAN] with reference to general debate. My intention is to ask unanimous consent to a certain limited time for general debate and then for consideration of the bill under the five-minute rule.

Mr. MANN. Does the gentleman expect to ask in the House for unanimous consent to consider the bill under the five-minute rule? The gentleman understands that under this rule there is no consideration of the bill under the five-minute rule.

Mr. ALEXANDER. I decline to give the unanimous consent that general debate on the bill shall be limited to one hour or one hour and a half, one-half of the time to be controlled by myself and the other half by the gentleman from Massachusetts.

Mr. MANN. I think more time would likely be desired on this side.
Mr. ALEXANDER. And then for the bill to be considered under the five-minute rule until its consideration is concluded, and then the previous question to be considered as ordered on the bill and pending amendment

Mr. MANN. Then the gentleman is willing to consider the bill for amendment?

Mr. ALEXANDER. Certainly.

Mr. MANN. Under the rule of the House it would not be so considered.

Mr. ALEXANDER. That is what I intend to ask when I ask to agree upon the time for general debate.

Mr. MANN. I have no doubt there will be an agreement to that.

Mr. ALEXANDER. We feel very grateful to the Committee on Rules and to the House for the privilege of calling these bills up.

Mr. MADDEN. Will the gentleman state whether this bill applies to lake ships as well as to ocean-going ships?

Mr. ALEXANDER. Yes; but it does not affect them much because the cargo vessels have very small crews. Mr. Speaker, I yield back the balance of my time.

Mr. HENRY of Texas. Mr. Speaker, I hope the gentleman from Wisconsin will now use some such time.

Mr. LENROOT. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I have no disposition to criticize the House for adopting resolutions for certain purposes. There is a resolution reported from the Committee on the Judiciary fixing the compensation of clerks of the United States courts, which ought to be taken up for consideration and passed in some shape. There is a bill to amend the immigration laws in relation to alien seamen and stowaways that ought to be taken up for consideration and passed. There is a bill to authorize the Secretary of the Navy to pay cash bonuses for valuable services in the naval plants of the Government, which ought to be considered.

There is a bill granting to civil employees of the United States the right to receive compensation for injuries sustained in the course of their employment, of great value to the employees of this Government, and an order ought to be considered.

The Speaker. The time of the gentleman has expired.

Mr. LENROOT. I yield the gentleman five minutes additional.

Mr. MANN. There is a bill to establish a qualified independent government for the Philippines and to fix the date when such qualified independence shall become absolute and complete, and for other purposes. For it I do not demand consideration, but if I were in favor of that bill, as gentlemen are supposed to be on the other side of the aisle, I would want to have a chance to call it up, but if this resolution passes that gives Government a thousand bills on the Table that are not included in this resolution might well be placed in a separate calendar.

The Speaker. The time of the gentleman has expired.

Mr. MANN. The Speaker. The time of the gentleman has expired.

Mr. RODDENBERRY. Will the gentleman yield?

Mr. MANN. In just a moment—and that accounts for this rule, I am perfectly willing to meet the immigration question. [Applause on the Republican side.] I do not believe myself in a literacy test, but I am perfectly willing to have it brought up in the House and to have it fought out on the floor of the House, but the gentleman from Georgia desires to have that done.

Mr. RODDENBERRY. If the southern and eastern members of the Democratic Party on this side who have told their constituents at home they were in favor of this immigration bill and voted for it to be called up, now stand by the yea-and-nay vote on the defeat of this resolution, I will make every effort I can to get them to vote it down, so we can get up the immigration bill; and I would urge my friend on the other side to support the people to have a yea-and-nay vote.

Mr. MANN. We will have a yea-and-nay vote; anybody can have a yea-and-nay vote.

Mr. RODDENBERRY. I fear my friend will have better success on his side than I will on mine, but the people will know in November.

Mr. MANN. I suggest to the gentleman from Georgia—

The Speaker. The time of the gentleman has again expired.
Mr. LENROOT. I yield two minutes to the gentleman from Georgia.

Mr. MANN. I would suggest to the gentleman from Georgia, whom I have found is one of the gentlemen new in the House who makes some use of the rules and his rights under the rules, that there is no difficulty about getting a yea-and-nay vote.

Mr. RODDENBERY. My leaders are against it.

Mr. MANN (continuing). And it does not require the gentleman from Georgia to have a yea-and-nay vote. All the gentleman from Georgia has to do is to suggest to the Speaker, after the question is put, that there is no quorum of the House present.

Mr. BUTLER. I suggest to the gentleman from Georgia to leave it to the gentleman from Illinois, and the chances are it will be well done.

The SPEAKER. The gentleman from Georgia has not the floor, and neither has the gentleman from Pennsylvania.

Mr. HENRY of Texas. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. LEVAN].

Mr. LEVAN. Mr. Speaker, this rule makes privileged the bill (H. R. 2287) to establish agricultural extension departments in connection with agricultural colleges in the several States receiv- ing the benefits of an act of Congress approved July 2, 1882, and of acts supplementary thereto.

For 50 years, Mr. Speaker, the Federal Government has been committed emphatically to the policy of aiding, developing, and encouraging agriculture.

This is the fiftieth anniversary of the passage of the first Morrill Act in 1862, an act establishing the agricultural colleges of the United States. Twenty-five years after that time the Harter Act was passed, which provided for the establishment of agricultural experiment stations in each of the States whose duty it should be to engage in research work relating to agriculture. Since that time there have been three, I believe, important supplementary acts increasing the appropriations for these two funds. We have spent in the last 50 years for the agricultural college and experiment stations in the neighborhood of $67,000,000. And we have expended this enormous sum of money in gathering together information touching agriculture.

The purpose of the bill made privileged under this rule is to disseminate through the agricultural colleges to the people themselves on the form the information that we have been gathering for the last half century. It is proposed in section 4 of the bill to appropriate to each State annually the sum of $10,000, provided that the State through legislative action has established within its agricultural college and experiment station a department to be devoted to extension and demonstration work and home economics.

Beginning with the fiscal year 1914 the additional sum of $300,000 is appropriated annually and divided among the States in proportion to their rural population, conditioned upon each State appropriating a like amount, and the State receiving annually of this additional sum only so much as it is willing, up to the sum of its pro rata share of $300,000. This additional appropriation of $300,000 is increased each year $300,000 for a period of 10 years, when the bill ripens, and the total appropriation, provided the States duplicate it at the end of that time, will amount to $3,450,000 annually.

Mr. RODDENBERY rose.

Mr. LEVAN. I yield to the gentleman from Georgia [Mr. RODDENBERY].

Mr. RODDENBERY. I am hearty in favor of the gentleman's bill, but providing in the same rule for the immigration bill would in no way hurt his bill, would it?

Mr. LEVAN. I do not know that it would.

Mr. RODDENBERY. We want to vote against the resolution and send it back and get the immigration bill put in it according to Democratic promises to the country.

Mr. LEVAN. I do not wish to meet this bill, in which I am particularly interested, the Democracy platform recently adopted at Baltimore emphatically and in terms indorsed the bill.

Mr. CLINE. I would like to make an inquiry of the gentleman from Georgia [Mr. RODDENBERY].

The SPEAKER. The time of the gentleman from South Carolina [Mr. LEVAN] has expired.

Mr. LENROOT. Mr. Speaker, I will ask that the gentleman from Wisconsin [Mr. LENROOT] use more of his time. I have only two more speeches on my side.

Mr. LENROOT. I yield one minute to the gentleman from Oklahoma [Mr. MANN].

[Mr. MORGAN addressed the House. See Appendix.]
session the bill restricting immigration, notwithstanding the fact it has been reported by a Democratic committee, and now on the calendar for two months.

A vote against the adoption of this rule now is not a vote against the bill; it is not only not binding the House, but is simply equivalent to an instruction to the Committee on Rules to report back this same rule with the anti-immigration bill made a special order therein. Let no gentleman think that he can say to those who have been advanced by vote of the House to be a member of this bill to vote for the rule, but would have been glad to vote for a special rule containing the immigration bill, if he could, because Members know and the country will know that to vote down this rule of the Committee on Rules is the same thing as to delay it, or delays it so that consideration of the immigration bill can be placed in it. It will then be reported back to the House and we can not only vote on the questions now in the rule which was favorable, but we can keep the plighted faith of the Democratic platform of 1896. Thus at the first opportunity we will carry out our word to the people. Since the day that Democratic platform was adopted they have been told that they will get the bill up; and we have an opportunity now to pass something that is for the platform of the Democratic party at the first opportunity we will carry it. If our platform demands it, it is an amendment to the Interstate Commerce law, authorizing the Interstate Commerce Commission to investigate and determine the physical valuation of the railroads of the country engaged in interstate commerce. It is one of the planks in the Baltimore platform, and is one of the things that the House of Representatives did not do before; but before the House appreciates the importance of this it is of more importance to the American people to-day for the adjustment of freight rates than any other proposition that will be before this Congress.

The Interstate Commerce Commission in their reports have requested this kind of legislation for some time back, and are advocating it now. I want to call the attention of Members of this House to the importance of immediate action on this measure. It has been by the late administration that for nearly three years the public domain has gone into the Public Treasury under the administration of the present tariff laws §5 is collected and appropriated to the special interests as a tribute from the American people. For this reason that is unjust—wringing from the American people to-day by the tariff $5 is wrung from the American people by the injustice employed in the fixing of railroad rates.

The basis now adopted is as follows: First, to pay the operating expenses; second, to pay the interest upon the bonds; and, third, to pay a reasonable dividend on the stock, both genuine and watered. It is the only business in this country to-day, as it is managed, that pays a dividend upon its bonded indebtedness and its stock is not regulated at all. Just and one that necessarily is indefensible as a business proposition. Now, the proposition is that the physical valuation shall be determined by the Interstate Commerce Commission, for the purpose of a basis thereon. Rates shall be regulated upon what is actually invested and not upon the watered stock and, the bonded indebtedness. Double dividends may be paid as a result of the present law. For every dollar of bonded indebtedness capital stock is issued and held by the owners of the railroad, and to earn sufficient to pay on the amount represented by both is a double charge, indefensible and it is a double charge, not only that, but this legislation is for the purpose of furnishing a remedy for this evil and to do justice to the producers and consumers of our country. The public demands it, common justice requires it, and it is the duty of the members of this committee to give earnest consideration of the proposition that the enterprise, industry, and thrift of the country may be fairly rewarded and encouraged. This subject is so important that it affects every citizen of the Republic, whether he be producer or consumer, whether he be rich or poor, and it behooves us as the representatives of a great people to take immediate steps to remedy this great evil and secure relief from its blighting effects. Transportation rates affecting all kinds of business and all classes of persons can never be equally and fairly regulated until such a measure as this is enacted into law, that the commission which is established under the act for the purpose and the basis of the actual values of the properties involved and not their imaginary values, as is now used for a basis for the fixing and collecting of transportation rates. It is perhaps one of the most commendable features in the substance of a great business in this country that the public has tolerated for these many years to be wrung from the public the excessive and unjust charges of transportation companies. They perform an important function in our commerce. Their earnings have been multiplied by exacting charges to pay dividends on watered stocks, for which there has been no investment and for which there is no property representation and never has been any. This evil interferes with the expansion of every industrial and domestic concern in the whole country; it restrains production and limits consumption; it increases the cost of living and diminishes the amount of wage the toilers receive. They are earning for the holders of their stocks, representing no investment, no property, no upbuilding of the country's wealth, large dividends at the expense of the honest business, the real industrial producer and the nation. The honest toiler must pay the toll and be subjected to the injustice foisted upon him by the system to swell the coffers of the promoter, the stock gambler, and the exploiter of the public. The competition of the stockholder on the payers of the tax upon the capital stock is strenuously resisted, and the possibility of reducing this evil has been the subject of discussion from time to time in Congress, but it has never been properly investigated and determined the physical valuation of the properties involved and not their imaginary values, as is now used for a basis for the fixing and collecting of transportation rates. It is perhaps one of the most commendable features in the substance of a great business in this country that the public has tolerated for these many years to be wrung from the public the excessive and unjust charges of transportation companies. They perform an important function in our commerce. Their earnings have been multiplied by exacting charges to pay dividends on watered stocks, for which there has been no investment and for which there is no property representation and never has been any. 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ment. Again it is a familiar fact that railroads are rich when rates of transportation are to be fixed and miserably poor when to be assessed for taxation. If this bill becomes a law and the value of all railroad properties is officially ascertained, then some bills can be used here for fixing and taxation for public purposes, and will prove in this respect of incalculable benefit to the public. If such valuation is fair to fix rates for transportation, the judgment of the public must be settled, as fairly as for public taxation, and the rule should work both ways and be used to answer both purposes. The companies could not complain over the adoption of such a rule. It could not be believed that the men who make them, in good conscience refrained from paying for public purposes on a valuation which they adopt to fix the rates they charge the public for service.

Again, the adoption of this measure will enable the public to know the efforts of the Interstate Commerce Commission in ascertaining the real values, who are the owners of railroad stocks, bonds, and securities; also the duplication of directors and the holding companies, the manipulation of stocks, and the chances and opportunities to restrict and prevent competition of parallel lines, and the inducements for such action. It will enable the commission to secure justice to the shippers of the country and tend to promote a healthy and prosperous condition of the transportation companies, to the end they will do a legitimate business on a legitimate basis, and the general public will be the real beneficiary as the result thereof. It will fix the true value of the property of the companies and in those classes in the business world and strengthen business stability in our commercial affairs and establish a standard of justice between the shippers and carriers of the country which will redound to the good of the entire country and tend to promote a healthy and prosperous commerce.

Mr. LENROOT. Mr. Speaker, it is not often that the facts and circumstances are such that I, as a member of the minority of the Committee on Rules, have felt in a position to defend in any degree the action of the majority of that committee. But in the particular instance the facts are such that I think fairness compels me to state that the criticisms that have been directed against the majority for the bringing in of this rule are not well founded; that the Committee on Rules in the action it has taken has not had any ulterior purpose or motive.

Now, Mr. Speaker, it is very apparent that in the remaining days of this session this House can not consider all the bills upon the calendar. A large number of resolutions providing for the consideration of certain bills were pending before the Committee on Rules. The majority of the committee brought before the committee certain of these resolutions and the committee adopted them, and I find their action is an informal resolution now before you. The committee, I believe, has taken such bills as it believed were of great importance to the country, bills that would not receive consideration if they were not made a part of the rule. Now, it is true that there are some resolutions proposed of equal importance, and I would be glad as a member of the Committee on Rules to make those bills privileged. The Immigration bill that the gentleman from Georgia [Mr. RODDENBERY] has been discussing and the immigration bill in the rule to consider that bill, he might have been more successful, but so far as I know, the gentleman did not appear before the Committee on Rules at all with reference to that.

The SPEAKER. The time of the gentleman from Wisconsin has expired. All time has expired. The question is on adopting the resolution.

Mr. RODDENBERY. Mr. Speaker, may I submit a motion to recommit with instructions so as to include the immigration bill in the rule?

The SPEAKER. The gentleman can not move to recommit from the Committee on Rules.

Mr. RODDENBERY. Mr. Speaker, for the first time since I have been a Member I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. RODDENBERY. It is based upon a remark made by the gentleman from Wisconsin [Mr. LAXAAROY].

Mr. LENROOT. The gentle­man from Wisconsin says that the gentleman from Wisconsin has no intention of reflecting upon me, as a matter of fact, his remarks that I have made no effort toward getting consideration by the Committee on Rules of the immigration bill reflects upon my good faith. I desire to state, as a matter of privilege, that when I first came to Congress I introduced an immigration bill of this character, but more restrictive in many respects. After the present bill was reported favorably and on the 1st of June I introduced a resolution and had it referred to the Committee on Rules, asking that the immigration bill be made privileged and a special order for immediate consideration. On the 6th of June I addressed a letter to the gentleman, Mr. HENRY, the chairman of the committee, asking its consideration, which I now read.

Mr. HENRY of Texas. Mr. Speaker, I make the point of order that the gentleman does not state any question of personal privilege.

The SPEAKER. The Chiar thinks he did.

Mr. RODDENBERY. Mr. Speaker, in order that the gentleman may understand what I said, I am very clear that my remark was that if he had devoted one-half of the activity before the Committee on Rules that he had upon this floor, he would probably have had some resolution to get a rule from the Committee on Rules with reference to the immigration bill.

Mr. LENROOT. Mr. Speaker, in order that the gentleman may understand what I said, I am very clear that my remark was that if he had devoted one-half of the activity before the Committee on Rules that he had upon this floor, he would probably have had some resolution to get a rule from the Committee on Rules with reference to the immigration bill.

The SPEAKER. The gentleman from Georgia has the floor.

Mr. GARDNER of Massachusetts. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. GARDNER of Massachusetts. Mr. Speaker, I make the point of order that unless the gentleman from Georgia had called the gentleman from Wisconsin to order at the time the remark was made a question of personal privilege is only in order after the reading of the Journal to-morrow morning.

The SPEAKER. The Chair does not think that the point of order is well taken. The Chair thinks that a Member is entirely within his rights when he is jealous of his reputation. The Chair is not passing upon whether the gentleman's reputation has been damaged, but the gentleman from Wisconsin thinks it has, and he is stating his case, and the Chair holds that he has a right to state his case.

Mr. RODDENBERY. Mr. Speaker, I desire now to read the letter which I addressed to the Hon. ROBERT L. HENRY, on June 6, 1912:

"House of Representatives, Washington, D. C., June 6, 1912.

Hon. Robert L. Henry, M. C.,

House of Representatives, Washington, D. C.

Dear Mr. Henry: On Saturday, June 1, I presented a resolution for a special order of the House, as a special order, of a bill reported from the Committee on Immigration, and directing alien landholders to be assessed for taxation. I had directed one-half of that activity to the Committee on Rules, and have referred to the Committee on Rules. I should be pleased to have a favorable report of the resolution from your committee as early as possible.

If it is the judgment of the committee that a hearing should be had, I should be pleased to have it. I would like to be present when the hearing is had and serve the committee in any way that I can in obtaining a favorable report.

Very truly yours,

S. A. RODDENBERY."
and to this hour I have not been accorded a respectful acknowledgment of the communication by the distinguished chairman, much less a hearing. No gentleman can now question my activity or diligence.

The Clerk read a similar request to the gentleman from New York [Mr. Payne], then chairman of the Committee on Ways and Means, respecting consideration of a tariff bill, and I did get from him a respectful reply, I challenge the gentleman's courtesy to say that he has not consulted with the gentleman from Illinois [Mr. Saratlinh] and other eminent opponents of restricting immigration who want to stifle this bill, and that he has not already agreed tentatively that his committee will not report it until December. Mr. Speaker, I have concluded.

Mr. HARDY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. HARDY. The gentleman is not addressing himself to the point of order.

The SPEAKER. The Chair thinks the point of order is well taken.

Mr. RODDENBERY. Mr. Speaker, I have concluded.

Mr. HENRY of Texas. Mr. Speaker, I ask for one moment, as much as the gentleman has asked for a reply, in order that I may make it.

Mr. RODDENBERY. Mr. Speaker, I demand the regular order.

The SPEAKER. Has the gentleman any question of privilege?

Mr. HENRY of Texas. Yes.

The SPEAKER. The gentleman will state it.

Mr. HENRY of Texas. The privileged question is this, that the chairman of the Committee on Rules has no recollection of ever having received a letter from the gentleman from Georgia, and if he will send a copy of the letter or another original he shall have a very prompt reply.

Mr. RODDENBERY. Oh, I am opposed to a funeral any time after a month after the death.

Mr. HENRY of Texas. I will be glad to reply to the gentleman at any time.

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois [Mr. Mann].

Mr. MANN. Mr. Speaker, that was agreed to.

The SPEAKER. The Chair thinks it has not been agreed to; it may have been agreed to by the gentleman from Texas.

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

Mr. ALEXANDER. Mr. Speaker, the rule and the report relating to the radio-communication bill refers to the number of the House bill. At the time I introduced the resolution which is embodied in the rule the House bill was pending, and afterwards the House bill was laid on the table, and the Senate bill is now pending on the Unanimous Consent Calendar.

Mr. ALEXANDER. What is the radio bill?

Mr. ALEXANDER. That is the radio bill, and I ask unanimous consent that Senate bill 6412 be substituted for the House bill.

The SPEAKER. The gentleman asks unanimous consent to correct the number of the bill. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the corrected number.

The Clerk read as follows:

Change the bill H. R. 15357, a bill to regulate radio communication, to the bill S. 6412, a bill of the same import.

The SPEAKER. The question is on agreeing to the amended resolution.

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

Mr. RODDENBERY. Division, Mr. Speaker.

Mr. GARRETT of Massachusetts. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. The Chair will count. [After counting.] Two hundred and two gentlemen are present, a quorum.

Mr. RODDENBERY. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman demands the yeas and nays.

Eleven gentlemen have arisen—not a sufficient number.

Mr. RODDENBERY. As amended was agreed to.

Mr. RODDENBERY. Mr. Speaker, is it too late to ask for a reading of the engrossed copy of the resolution?

The SPEAKER. Yes; it has already passed.

Mr. MANN. It is a House resolution and does not have to be engrossed.

The SPEAKER. It does not require an engrossed copy, and anyhow, if it had to be engrossed, it is too late, because the vote has been announced.

Laws relative to seamen.

Mr. ALEXANDER. Mr. Speaker, I call up the bill H. R. 23673 for present consideration.

The SPEAKER. The Clerk will report the bill.

A bill (H. R. 23673) to abolish the involuntary servitude imposed upon seamen in the merchant marine of the United States while in foreign ports and the involuntary servitude imposed upon the seamen of the merchant marine of foreign countries while in ports of the United States, to encourage the training of boys in the American merchant marine, for the further protection of life at sea, and to amend the laws relative to seamen.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. RODDENBERY. The gentleman from Missouri asks unanimous consent that the first reading of the bill be dispensed with.

Mr. MANN. Mr. Speaker, reserving the right to object, let us see whether we can not reach an agreement.

Mr. ALEXANDER. And pending that request I also ask unanimous consent that the bill be considered in the House as in Committee of the Whole, and that two hours be given to general debate on the bill, and that following that the House proceed to the consideration of the bill under the five-minute rule.

The SPEAKER. This bill is on the House Calendar. The request of the gentleman is that this bill be considered under general debate for two hours and then it shall be considered under the five-minute rule. Is that the request of the gentleman?

Mr. ALEXANDER. Yes.

Mr. GREENE of Massachusetts. Mr. Speaker, reserving the right to object, I will state that I do not think that two hours' time will be sufficient. I have requests from gentlemen who desire to speak upon the subject that will take more than half of that time. I think there should be at least two hours' debate on the subject on a side.

Mr. ALEXANDER. I think general debate ought to be concluded this afternoon. I will agree to an hour and a half on a side, which will take us up to 6 o'clock, one half of that time, of course, to be controlled by the gentleman from Massachusetts and the other half by myself.

Mr. HUMPHREY of Washington. The gentleman knows that this is a bill of great length, which practically revises the navigation laws of the United States in a great many respects, and the gentleman further knows that this particular bill as it is now written was considered in our committee but a very short time, and I think we ought to have a reasonable length of time for debating this bill, and it will take two hours on a side to go through and take up the various portions of this bill and discuss them so that the House may have some knowledge of it.

Mr. ALEXANDER. My experience is the House does not get much information with reference to a bill under general debate, and I desire that it may be considered fully under the five-minute rule.

Mr. MANN. Will the gentleman yield? Following what the gentleman has just stated, if general debate on this bill is closed by unanimous consent and the gentleman's request is agreed to to consider the bill under the five-minute rule, is it the expectation of the gentleman that he will be fairly liberal in debate under the five-minute rule?

Mr. ALEXANDER. I think so. There is no disposition to cut it off.

Mr. MANN. It is far more important in the consideration of a bill.

Mr. ALEXANDER. That is my notion, unless I see evidence of a disposition to kill time and filibuster.

Mr. MANN. I can assure the gentleman that I think there will be no such disposition.

Mr. ALEXANDER. I have no wish to speak under the general debate myself at all.

Mr. HUMPHREY of Washington. I think it is especially desirable that we should have plenty of time under the five-minute rule. I agree with the gentleman from Illinois [Mr. Mann] on that point.

Mr. ALEXANDER. That is one reason I do not want to consider so much time under the general debate.

Mr. HUMPHREY of Washington. I would like the assurance from the gentleman that we will have plenty of time to take up and consider amendments.

Mr. MANN. We have that assurance from the gentleman now.

Mr. ALEXANDER. I do not wish to use this bill as a buffer to keep other bills from being considered under the rule.
Mr. MANN. There is no disposition to do that. Why not have three hours of general debate?

Mr. ALEXANDER. I will do that, although I would rather have two.

Mr. MANN. General debate can close to-day.

Mr. GREENE of Massachusetts. I will accept that proposition.

Mr. MANN. Why not agree that general debate will close to-day?

Mr. ALEXANDER. In three hours.

Mr. LEVER. Make it 6 o'clock.

Mr. MANN. The gentleman has it within his power to move to adjourn at any time.

Mr. ALEXANDER. But I do not want to violate the spirit of the agreement.

Mr. GREENE of Massachusetts. If I find there is not enough call for it, I will gladly yield.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that there be three hours' general debate, and at the conclusion of the general debate the bill be considered under the five-minute rule.

Mr. MANN. In the House as in the Committee of the Whole.

Mr. ALEXANDER. In the House as in the Committee of the Whole.

Mr. MANN. Under the five-minute rule in the House as in the Committee of the Whole.

Mr. ALEXANDER. That it be considered under the five-minute rule of the request.

The SPEAKER. The gentleman from Missouri [Mr. ALEXANDER] asks unanimous consent that general debate on this bill shall be permitted for three hours, one half to be controlled by himself and the other half by the gentleman from Massachusetts [Mr. GREENE]; and that after that the bill shall be considered under the five-minute rule.

Mr. CANNON. Will the gentleman allow me? When does he expect to vote upon the bill?

Mr. MANN. It will probably get up on Monday.

Mr. CANNON. I presume after to-day it will go over until the first of the week. Do you propose to read it under the five-minute rule to-day?

Mr. ALEXANDER. Not to-day.

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

The gentleman from Missouri [Mr. ALEXANDER] is recognized.

Mr. ALEXANDER. Mr. Speaker, I yield 20 minutes to the gentleman from Texas [Mr. Hardy], who is chairman of the subcommittee.

The SPEAKER. The gentleman from Texas [Mr. HARDY] is recognized for 20 minutes.

[Mr. HARDY addressed the House. See Appendix.]

REPRINT OF INDIAN APPROPRIATION BILL

Mr. STEPHENS of Texas. Mr. Speaker, I desire to request unanimous consent to have a reprint made of the bill H. R. 20728, Indian appropriation bill, together with the Senate amendments thereto.

The SPEAKER pro tempore [Mr. CONNELL]. The gentleman from Texas [Mr. STEPHENS] asks unanimous consent to have a reprint made of the Indian appropriation bill. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

LAWS RELATIVE TO SEAMEN.

Mr. ALEXANDER. Mr. Speaker, it is not my intention to discuss this bill at this time, if at all, under the general debate, and I am going to ask the gentleman from Massachusetts [Mr. GREENE] to use some of his time. Before doing so, however, I desire to call attention to one paragraph in the views of the minority. I quote from the views of the minority:

"The bill is one of great importance, being practically a revision or a repeal of a large portion of the most important of our navigation laws. It is to be regretted that the majority of the subcommittee having the bill in charge has attempted to play politics in its consideration.

I wish to say that if there has ever been any political complexion to the consideration of this bill it has entirely escaped my notice. There is a difference of opinion between the members of the committee as to the wisdom of some of the sections of this bill, but if there are inspired by party considerations, I have no knowledge of that fact. And again:

The bill in its present form has never been considered by the full committee and no opportunity given to do so except in the most perfunctory way.

I think that also is an injustice to the committee. Ample opportunity was given for the consideration of this bill after it was reported back by the subcommittee, and no effort was made to shut off consideration by the committee; and if the bill was not considered more fully than the gentlemen who make this statement think it should have been considered, it was their fault, and not the fault of the committee. I have been present at every meeting of that committee, and these gentlemen cannot say as much. Again, the minority say:

"The bill was referred to the subcommittee, which practically rewrote the bill. This committee held many meetings to consider it, but while our interested parties were invited to the meetings and participated in framing the bill, the minority members of the committee were not invited to be present."

The gentlemen are in error in that statement. There never was a time when this bill was considered by the subcommittee that any other persons were present than the members of the subcommittee, except one occasion. The shipping interests and the representatives of the seamen thought if they could get together before the subcommittee they might agree; and, adopting their suggestion, one night the gentleman from Texas [Mr. HAMR], chairman of the subcommittee, notified the representatives of the shipping interests, Mr. Livingston, the president of the Lake Carriers' Association, and others, and the representatives of the seamen, Mr. Furneseth, along with other gentlemen, that they might be present. They appeared and discussed the bill back and forth until midnight. I do not look upon the gentleman from Washington [Mr. HURST] as present at that meeting. Nothing came of that meeting. They did not agree with the provisions of the bill. That was the occasion upon which any representative of the shipping interests or seamen was present when the subcommittee considered this bill.

I simply make this explanation that this statement may not be correct. The House is in possession of the facts. At any rate, whether the gentlemen were invited to be present at these subcommittee meetings or not, I leave to the gentleman from Texas [Mr. HAMR] to say. I was a member of the subcommittee by the action of the committee and attended as many meetings as I had notice of.

Mr. LEVY. Mr. Speaker, I would like to ask the gentleman if he understands that this bill will relieve the shipping interests of the country of the present onerous navigation laws?

Mr. ALEXANDER. In what respect?

Mr. LEVY. By relieving us of the onerous laws that we now have. Will it not make it worse? Will it not drive our vessels from the sea?

Mr. ALEXANDER. I think it is a grave error to pass the bill if that is so.

Mr. LEVY. This is the first opportunity I have had to examine this bill.

Mr. ALEXANDER. I think if the gentleman studies the bill he could answer that himself.

Mr. LEVY. That is the reason I am interrogating the gentleman.

Mr. ALEXANDER. I do not think it would.

Mr. LEVY. Does the gentleman think it will be a relief?

Mr. ALEXANDER. If the bill will relieve the shipping interests, that is, the seamen are entitled to any consideration at the hands of Congress. I do not look at this question wholly from the standpoint of the shipowner.

Mr. LEVY. Our navigation laws are now very severe.

Mr. ALEXANDER. Yes; and I would not add any unnecessary burden to the shipping interests of the country.

Mr. LEVY. I thought the gentleman's committee was trying to relieve us of some of the onerous laws. Mr. WILSON of Pennsylvania. From a competitive standpoint it does relieve the shipping interests.

Mr. GREENE of Massachusetts. Mr. Speaker, I listened to the remarks of the gentleman from Missouri, the chairman of the committee [Mr. ALEXANDER], who preceded me, and I am somewhat surprised at the statements that he made here, for the reason that I was not called in as a member of the minority of the committee to the subcommittee meetings to consider this bill. If I recollect correctly, upon my motion in the committee, the chairman of the committee was added to the subcommittee, and a few days afterwards I met the chairman in the hallways of the Office Building, and he said to me that he did not think that the minority members of the committee, naming the gentleman from Washington [Mr. HURST] and myself, were using him right; that there were some features of the bill that were not approved by the members of the subcommittee to aid him in securing these amendments to the bill. I stated then, and I state it now, that I was not notified of the meetings of the subcommittee on this bill, and was not present at those meetings, because I received no notice of the meetings of the subcommittee to consider the bill.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. GREENE of Massachusetts. Certainly.
Mr. HARDY. I think I can make a statement respecting its matter with which the gentleman will not differ from me. It is true that myself and other members of the subcommittee met and talked this measure over personally for hours several times, but the meetings as I do with the other Members of the majority, but that bill was not reported back to the whole committee until after the gentleman himself had been notified of the meeting of that subcommittee at which the bill was finally agreed on. That is all I claim.

Mr. HUMPHREY of Washington. This fact is true, that bill was reported before we had an opportunity to read it, except in the committee, and at the time that bill was reported there was no action taken except those on the subcommittee who knew what it contained.

Mr. HARDY. The gentleman has stated all I claimed, that before that report to attend notice to attend the meetings of the subcommittee of the other Members of the minority had been notified of the meeting of the subcommittee. It is just as if in caucus or in the cloak room I might have had privileges to which I had not had access that we had taken the wrong position in making the statement in the minority. I believe the statement in the minority report is fully justified, and while I have expressed a great many times absolute confidence in the work of this subcommittee, still I think that the chairman of the subcommittee in some manner or for some reason, why I do not know, ignored entirely the minority in the consideration of this bill.

Mr. GREENE of Massachusetts. You did not ignore us on the bill of minor importance that you had under consideration.

Mr. HARDY. Yes. I will say to the gentleman he is absolutely mistaken in.

Mr. GREENE of Massachusetts. I declare to yield until I get through with my statement.

Mr. MADDEN. I suggest to the gentleman it is raising outside of this line. If you wish to go on, you may go on.

Mr. GREENE of Massachusetts. I know that, but there is the question of fair dealing, and the statement in this minority report is correct that we received no notice whatsoever from the gentlemen of this committee, that this bill was to be considered, and to confirm my statement I state what the chairman of the committee told me myself, that Mr. HUMPHREY, my colleague, and myself we were not attending the subcommittee meetings, and we ought to be there in order—if we wanted amendments to this bill we ought to be there to sustain them.

Mr. ALEXANDER. Will the gentleman yield?

Mr. GREENE of Massachusetts. I do not.

Mr. ALEXANDER. I would simply say this. There had been several meetings of the subcommittee before I met the gentleman in the corridor and chided him for not being present.

Mr. GREENE of Massachusetts. And did not reply to the gentleman that I had not been invited?

Mr. ALEXANDER. He said to me that he had not been invited and to get after Mr. HAMP about it.

Mr. GREENE of Massachusetts. And I was not invited.

Mr. HARDY. I state if the gentleman never received the invitation before we reported that bill there is something deficiency in the mail, and if he will go back and look over his mails, I think he will find the notice.

Mr. GREENE of Massachusetts. I attend all meetings of the committee, and I think the gentleman will bear out my statement in the mail and if he will go back and look over his mail, I think he will find the notice.

Mr. ALEXANDER. I say this. I think this matter was thrashed over in the committee. I do not think there was any question there but what he and Mr. HUMPHREY had been invited to the last meeting of the subcommittee. Was there any question as to your being invited as to the last meeting of the committee?

Mr. HUMPHREY of Washington. I do not think this is a matter of testimony or that it is material to testify.

Mr. HARDY. I do not think it is material, but as we have gone into it—

Mr. HUMPHREY of Washington. If the gentleman will permit me for a moment, I do not think it is material to the issue of the question that the majority Members did not have an opportunity to consider this bill that they should have had in the way of making amendments. I want to take occasion to exonerate the chairman of this committee. I am perfectly satisfied that the chairman of this committee did not know that the subcommittee had been meeting without inviting the other members of the subcommittee and he was a member of it himself. This condition did happen that the subcommittee met and they did practically agree upon the bill, and what I objected to was their bringing in the bill to which there was given very little consideration at the time.

Mr. HARDY. Did the gentleman receive notice to attend the meeting of the subcommittee at which the bill was finally agreed on and reported?

Mr. HUMPHREY of Washington. My recollection is I did receive one notice to attend a meeting.
sailor, to that part I would certainly agree. But by inserting these features to the disadvantage of the American sailor by bringing the greater competition from the foreign sailor in the American trade, I believe is in that respect a distinct disadvantage.

Mr. HARRIS. Will the gentleman from Massachusetts [Mr. GREENE] yield? I wish to ask a question of the gentleman from Pennsylvania [Mr. WILSON] on Pennsylvania.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. HARRIS], who wishes to ask the gentleman from Pennsylvania [Mr. WILSON] a question; the gentleman will yield 10 minutes to my colleague from Washington [Mr. HUMPHREY].

Mr. HARRIS. Mr. Speaker, I would like to ask the chairman about section 13 of this bill, and how far the language of the bill is intended to go?

Mr. WILSON of Pennsylvania. What section?

Mr. HARRIS. Section 13, to the effect that every vessel sailing out of a port of the United States shall carry one or two American boys as apprentices. Now, that language is pretty general. If it is as broad as your other thought, which means any ship of any nation, I want to know whether you mean to expatriate the American boys and drive them into the foreign trade? How far is that language intended to go?

Mr. WILLSON of Pennsylvania. It is intended to apply to every sailing or steam vessel of the United States, and I may say to the amendment of the committee to offer an amendment to that section, which was omitted in making the report on the bill, the amendment being as follows:

Amend line 9, on page 16, by inserting between the word "sailing" and the word "vessels," the words "vessels engaged in the foreign or off-shore trade, so that it will read:

"That every sailing vessel engaged in the foreign or off-shore trade or steam vessel of the United States,"

It is meant to apply solely to vessels of the United States.

Mr. HARRIS. Why not limit it to the United States, so that there will be no misunderstanding about it? You now say "a ship.

Mr. WILSON of Pennsylvania. That is the purpose of it.

Mr. LONGWORTH. Mr. Speaker, before the gentleman from Washington [Mr. HUMPHREY] proceeds I would like to ask the gentleman from Massachusetts [Mr. GREENE] whether I understood him correctly to say that the passage of this bill would increase the cost of maintaining American ships?

Mr. GREENE of Massachusetts. Yes.

Mr. LONGWORTH. To what extent?

Mr. HUMPHREY of Washington. I can answer that question for the gentleman.

Mr. GREENE of Massachusetts. I yield, Mr. Speaker, to the gentleman from Washington [Mr. HUMPHREY] 30 minutes.

Mr. MADDEN. Mr. Speaker, I suggest the absence of a quorum. I think on an important measure like this we ought to have a quorum of the House present, so that everybody will understand what we are discussing. I make the point of no quorum.

Mr. RICHARDSON. I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman from Alabama [Mr. Richardson] moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker pro tempore announced that the noes seemed to have it.

Mr. RICHARDSON. A division, Mr. Speaker.

The House divided; and there were—ayes 1, noes 17.

Mr. MADDEN. Mr. Speaker, I make the point of no quorum.

Mr. CARLIN. Mr. Speaker, I make the point of order that the motion is dilatory.

The SPEAKER pro tempore. Business having intervened, the Speaker pro tempore yields the gentlemen from the House.

Mr. RODDENBERY. Mr. Speaker, I move a call of the House.

Mr. MADDEN. Mr. Speaker, it is evident that there is no question, and there is nothing to do but have a call of the House.

Mr. RODDENBERY. Mr. Speaker, I move a call of the House.

Mr. MADDEN. Mr. Speaker, I make the point of no quorum.

Mr. CARLIN. Mr. Speaker, I make the point of order that the motion is dilatory.

The SPEAKER pro tempore. A call of the House is ordered.

The Speaker pro tempore will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

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The SPEAKER pro tempore. The call shows 202 Members present, a quorum.

Mr. RODDENBERY. Mr. Speaker, I move to dispense with further proceedings under this call.

The motion was agreed to.

The SPEAKER pro tempore. Further proceedings under the call are dispensed with. The Doorkeeper will open the doors.

Mr. GREENE of Massachusetts. I yield 30 minutes to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Speaker, I trust that I may have quiet in the room, because it is too warm to speak.
act of 1891. So that this bill will not free any American sailor, because there are no American sailors to be freed by it, and because of the further fact that the statute now upon our books in force in restraint in the coastwise trade has been practically a dead letter for many years. I will say for the minority of the committee that they could at any time have had reported out, or have provided by any bill contemned all the provisions to American sailors and American ships; but the purpose of this bill, as I said before, is to assist the foreign sailor. In other words, you may look at this bill and read it through and study it critically a dead letter for many years. I will say for the minority of the committee, and this is characteristic of the bill all through. I think so; why not?

Mr. HUMPHREY of Washington. Certainly.

Mr. HARDY. Do not the provisions that put the sailor on a foreign vessel in an equal position with an American sailor on an American vessel when in our ports enable him to get the wages of our seamen and raise the wages of the foreign sailor entering into our ports, thereby putting us on an equal footing and enabling us to compete with the foreign shippers and prevent them from having cheap pauper labor bound down to them in such way that they might not compete against us? In this way do we not prevent the foreign shipping from having the benefit of pauper labor if they have it?

Mr. HUMPHREY of Washington. That is the purpose of this bill, and the gentleman agrees with it, inasmuch as the foreign seamen in the American ports he will raise wages of the American citizen, and therefore no chance of elevating their condition, and therefore no chance of seizing them. •

Mr. HUMPHREY of Washington. What the gentleman intends to say is that he believes that by raising the wages of the foreign seaman in the American ports he will raise wages all over the world.

Mr. HARDY. We believe in equalizing the wages by raising the wages of the foreign seaman who competes with our seaman. I would rather raise the foreign seaman to the wage condition of our seaman than lower the wage of our seaman to that of the foreigner.

Mr. HUMPHREY of Washington. Just wait one moment. I want to finish the answer. The gentleman asks what this bill proposes to do: It proposes to hold out an inducement, as I have said, to every foreign sailor that comes into an American port to desert his ship; and then places him in a position where he can not stay here unless his terms are increased. That is the purpose of this bill, and the gentleman agrees with me.

Mr. HOBSON. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREY of Washington. Not at this time. Here is an instance of it. We have members of Congress saying what kind of a contract he shall make in a foreign country? Why should we say to the foreign shipowner, "You may make a contract that is illegal in your own country, but when it comes to this port it shall be void."

Mr. COOPER. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. COOPER. In reply to that specific question, is it not of some importance to the people of the City of New York, for instance, whether a sailor lands in New York with $20 in his pocket or without a penny and entirely destitute?

Mr. HUMPHREY of Washington. Certainly; but he does not have to land. What occasion is there for a sailor to land? Suppose he has made a contract to the contrary, why should we violate it?

Mr. COOPER. I suppose the gentleman has heard of the habit of sailors to land whenever they get a chance.

Mr. HUMPHREY of Washington. Certainly; and that is the main purpose of this bill. It runs all through it. The further fact, as I have said, is to induce him to desert the ship; and then places him in a position where he can not stay here unless his terms are increased. He is compelled to be on the vessel, and they would as soon work as he idle that portion of the time; and so you simply add a third to the number of firemen that will have to be employed on these ships.

Mr. MANN. Will the gentleman yield?

Mr. HUMPHREY of Washington. Certainly.

Mr. MANI. Under the language in the section referring to vessels "at sea," does that apply to the Great Lakes?

Mr. HUMPHREY of Washington. It was the opinion of the committee, and also of the attorney representing the Great Lakes, that the language applied to vessels "at sea," and I applied it to another section, and filed a brief. I intend at the proper time to offer an amendment making an exception of the lakes and inland waters of the United States, as far as firemen are concerned.

Mr. MANN. If it applies to vessels on the Great Lakes and vessels that travel only in the daytime across the lakes, would it require them to have three watches of firemen regardless of the fact that it would be impossible to put them all in service?

Mr. HUMPHREY of Washington. That is the purpose of it.

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Mr. HUMPHREY of Washington. That is the purpose of it.
What will be the result? The result will be that the British ship—_which we will take for an illustration—_coming to this country, will load her crew with a crew of seamen on its arrival in the United States, which for the sake of the argument, may be a high-priced crew; but this crew will be immediately discharged in the home port of the ship. Every vessel will bring the cheap crew coming to this country. The result of this would be, if it in an over-crowded port—let us say New York—there is any agreement at all—to increase the rate of freight to get our goods to foreign countries and to lower the freight rates between other countries and to our ports. The result of this the gentleman from Texas [Mr. HARDY] alluded to earlier when he spoke of the round trip. The seaman who went upon a ship at an American port he would stay with the ship, but the sailor who had no regard for the contract he made and no sense of duty, who knew he could take advantage of the American laws, would desert in New York, and the result of it would be the foreign ships would retain the good sailors, those who had the manhood to keep their contract, those who were too honest to practice a fraud upon those who cared nothing for their contracts; our ports would be filled with deserters; under this bill we would get the sum of all the seas.

Mr. HARDY. Will the gentleman yield right there? Would not any contract or agreement apply with reference to holding by criminal process or by arrest anybody else to any contract when once made for service on land as well as at sea.

Mr. HUMPHREY of Washington. No; I do not.

Mr. HARDY. I have never seen a seaman opposed to it.

Mr. HUMPHREY of Washington. If there is any force in the argument that is made that the foreign sailor is complaining because he is imprisoned; if there is any truth in other complaints that they are outraged and made slaves, then why not abolish servitude, so far as the American ship is concerned, and let those seamen come from foreign ports, while between foreign ports and from foreign ports to this country the rate will be cheaper; so that the provisions of this bill are only too favorable to our seamen and foreign sailors; if we could agree at all—

Mr. HARDY. Mr. Speaker, if the gentleman will yield a little further, I admit we cannot control the wages between Europe and South America; but the gentleman admits that every seaman in this country favors this bill, because it will raise the wages of seamen coming into this country, does he not?

Mr. HUMPHREY of Washington. No; I do not.

Mr. HARDY. All he would have to do to escape the slavery we hear so much about would be to leave the nation that enslaves him and come to the one that has made him free.

Mr. WILSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREY of Washington. Not now. I do not have a great deal of confidence in the complaint of these gentlemen who want the United States to legislate for the seamen of other countries when those seamen are content to sail under the flag of those countries and do not attempt to become American citizens.

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

Mr. HUMPHREY of Washington. Certainly.

Mr. MADDEN. The gentleman from Texas [Mr. HARDY] a short time ago, when he was making a speech upon this subject, stated that the wages of the sailor was fixed according to the ports in which they were engaged. Mr. HARDY. Where they were employed.

Mr. HUMPHREY of Washington. That would carry out what I said—that the rates would be high here and lower everywhere else.

Mr. MADDEN. How would that affect the American sailor? For example, if wages in Liverpool, Bremen, or Havre, or Hamburg, or New York, or any port, were lower than wages in another port, and every sailor who went from those ports would sign his crew for the round trip. The seaman who had regard for his contract, who signed for the round trip, would keep his contract and stay with the ship, but the sailor who had no regard for the contract he made and no sense of duty, who knew he could take advantage of the American laws, would desert in New York, and the result of it would be the foreign ships would retain the good sailors, those who had the manhood to keep their contract, those who were too honest to practice a fraud upon those who cared nothing for their contracts; our ports would be filled with deserters; under this bill we would get the sum of all the seas.

Mr. HARDY. Will the gentleman answer one question? The gentleman says he is willing to join in abolishing imprisonment of American sailors. Do you still want the American Government to lend itself to a continuation of the imprisonment of foreign sailors?

Mr. HUMPHREY of Washington. I am not prepared to say as to that. I am strongly inclined to think that punishment for desertion ought to be abolished, and I think we ought to pass a bill of this kind without notice to other nations with whom we have treaties on the question. I think it might be wise to enter into negotiations with other countries.

Mr. HARDY. I think it might be prudent to seek the consent of all nations with whom we have treaties that they may be defensive, if we could agree in that agreement that we would lower the rates in every case to the same level as fixed by any other nation that may have an agreement with us, and avoid punishments. I do not think there is any such emergency when we have no American sailors; when we are legislating entirely for foreign sailors that we should rush this bill through in this manner.

Mr. HUMPHREY of Washington. I want to call attention to section 10, which says:

Upon a complaint in writing, signed by the first and second officers or a majority of the crew of any vessel while in a foreign port, that such vessel is in an unseaworthy condition to sail, or is leaky or insufficiently supplied with sails, rigging, anchors, or any other provisions, stores, and supplies, the court shall order the vessel to be appraised on demand, and, if the appraisement shall be less than the value and quality of what the seamen are entitled to receive, the court shall order the vessel to be sold, and the proceeds of such sale shall be paid to the seamen as they may claim for the wages due to them from the time of their engagement, until the time of their discharge, or, if they have not been discharged, until the time the vessel shall be ready for sea; and in case the vessel shall not be ready for sea within three months from the date of the order of sale, the court shall order the vessel to be broken up, and the proceeds of the same shall be paid to the seamen as they may claim for the wages due to them from the time of their engagement, until the time the vessel was ordered to be broken up.

And then:

Every vessel on its arrival in the United States, if the master or any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as seaman on board of any vessel of the United States, any money, or any promise of money, or any thing of value in any case to pay any seaman wages in advance of the time when he has worked the same amount of time, he shall, for every such offense, be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than $500.

That it shall be lawful for any seaman to execute in his shipping agreement for an allotment of any portion of the wages he may earn to his grandparents, parents, wife, sister, or children.

And that it shall be lawful for any seaman to execute in his shipping agreement for an allotment of any portion of the wages he may earn to his grandparents, parents, wife, sister, or children.

That no allotment shall be valid unless signed and approved by the shipping commissioner. It shall be the duty of the said commissioner to examine such agreements and the parties to them and enforce compliance with the law.

How could the shipping commissioner in this country enforce compliance with such law when the agreements were made in a foreign country between citizens of the United States and citizens of another country, and such citizens of the United States were to make a voyage to another country, and such citizens of another country who were to make a voyage to the United States? What would be the force of this?

Mr. HUMPHREY of Washington. I am not willing to consent to this.

Mr. HARDY. I want the gentleman to call attention to the House of Representatives.

Mr. HUMPHREY of Washington. I yield to the gentleman.
we going to say as soon as that ship comes into our port that it shall be a crime that that contract shall be made subject to imprisonment, and that you can tie up that vessel while the matter is being investigated; and if the officer of the vessel is found guilty that we shall imprison him in this country for six months, and make a legal contract in his own country with a citizen of that country?

Go still further and suppose an English shipowner makes a contract with a German subject, a contract that is legal both in countries where it is made, and suppose that the shipowner is not guilty of the crime. Suppose that when they come into American ports and that we will take from a foreign ship these foremen and imprison them for making it? Upon what theory are we going to justify it? Under what theory do we want to tie up a foreign vessel for a legal contract of that kind? I do not believe that these foreign nations are not properly treating their own sailors? Do you think any self-respecting nation is going to permit us to say what is and what is not a legal contract made in their own country?... As a matter of fact, the only experience that any of the crew have in any department is that of handling a small boat; but now imagine what an enormous undertaking; and even if we carried it out we might possibly attempt to justify ourselves in such action. But suppose any of these great seamen are called “able seamen” by the foreign nations and a lifeboat is concerned, or any small boat or any of the equipment for life-saving at sea in time of emergency. An English seaman may have any more, after they have done service at sea, in actual handling the ship than if he had spent those three years in plowing corn. It is in the hearings that a captain, who was at the time an officer of the vessels, made seven trips around the Horn and never saw a lifeboat launched.

Now, if “able seaman” meant that the man knew something about the handling of a lifeboat, if it meant what it seems to mean on its face, that he was experienced in seamanship, that he knew how to handle a lifeboat, I would be entirely willing that this provision should be made. But the “able seaman,” going upon one of the modern steamships, does what? When the steamer goes out he helps to haul in the gangplank and put down the latches and such things as that. He washes the deck, and paints the woodwork, and polishes the brasswork, and does other work, but he never handles a boat or an oar, and he might spend three years at sea or on the Great Lakes, but if his rating was a “capable seaman,” whatever about the handling of a small boat. As a matter of fact, the only experience that any of the crew have in any department is that of handling a small boat. This amendment makes a “capable seaman” for all purposes, a “capable seaman” in the drill required by law, and they dril the steward’s department and the firemen’s department just the same as they do the “able seamen” on deck.

Mr. HUMPHREY of Washington. In a moment. As a matter of fact, so far as the hearings go and so far as I have been able to discover the hearings, the people have know more about the handling of a rowboat than do the “able seamen,” and make better lifeboat crews, the difference being that in a rule they are stronger and younger men than the “able seamen.” They all get the same training, and that is one reason why I make objection to the report that has been filed by the majority in regard to this bill. They cite a long list of vessels in the back of this report, and then they give the lifeboats and tell the number of men who are sent to each lifeboat, the department of the vessel to which they belong, and then end by saying there are very few seamen in these boats, thereby making the impression that the “able seaman” is not competent to handle the lifeboats when, as a matter of fact, the fireman or the cook or the waiter on the vessel is generally just as good seamen as the deck hands.

No; I do not know anything more about handling a boat than does the cook or the fireman. It being true that the “able seaman” knows no more about it than the cook and the cook and those in the steward’s department, why should you limit it to “able seaman” when a man goes to get a position upon a vessel, under the claim of protecting life at sea and protecting property? Why should it be limited to “able seamen”? Why should we not include the firemen, who know just as much about it as the seamen, or the men in any other department?

I am going to offer an amendment, and I hope the gentleman on that side will accept it. I am going to offer an amendment to add to the definition of “able seaman” this qualification, that he shall satisfy the local inspector that he is capable of handling a lifeboat. No man ought to be permitted to go as an “able seaman” unless he has that experience. The gentleman in charge of this bill will not go any further than I will in protecting life and property at sea, but I am opposed to passing legislation here in favor of any one class of people unless it is to the advantage of the public to do it.

Mr. HUMPHREY of Pennsylvania. The gentleman says that the occasions when seamen have handled boats are on the drills we have had. Mr. WILSON of Pennsylvania. Yes; on these great steam vessels.

Mr. HUMPHREY of Washington. But the term “able seaman” under that meaning, so far as the man being able to man a lifeboat is concerned, or any small boat or any of the equipment for life-saving at sea in time of emergency. An English seaman may have any more, after they have done service at sea, in actual handling the ship than if he had spent those three years in plowing corn. It is in the hearings that a captain, who was at the time an officer of the vessels, made seven trips around the Horn and never saw a lifeboat launched.
Mr. HUMPHREY of Washington. He probably would, but again he might not. There are men to-day who have been three years on one of these coast steamers who, except for the fact that they are less liable to sicknessness than new men would be, know little of the lifeboats and the handling of a man who, as I said a moment ago, has worked in a cornfield.

Mr. WILSON of Pennsylvania. One of the requirements or purposes of this bill is to have them trained or drilled, so that they will be fit for service.

Mr. HUMPHREY of Washington. Oh, that is one of the purposes of the bill, but it did not get in the bill. That is the difficulty. If the gentlemen who have charge of the bill had permitted a study to be made of it, and had let the minority members attend the subcommittee meetings, they would not have made some of the mistakes that have been made in the draft.

Mr. WILSON of Pennsylvania. I will say to the gentleman that there has been a careful study of this bill by the committee for the past 16 or 18 years.

Mr. HUMPHREY of Washington. Oh, that is all true enough; but as to this particular bill, in the way it is written now, I never saw it until it was reported to the committee by the subcommittee, and, according to my recollection, it was read to the full and to the committee or on the floor, as it was called up. I had never read it through and never had a chance to read it through before it was reported.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield? This is the question? The gentleman from Washington yielded to the gentleman from Missouri.

Mr. HUMPHREY of Washington. Yes.

Mr. ALEXANDER. I would say to the gentleman that this bill was drafted by the gentleman from Washington.

Mr. HUMPHREY of Washington. Yes.

Mr. ALEXANDER. I would say to the gentleman that this bill was drafted by the gentleman from Washington.

Mr. HARDY. Has the gentleman investigated the laws of other nations with reference to the term "able seaman," and has he found any such qualification or definition as it will mean something? I hope instead of saying "service on deck at sea" we will use "service at sea," because a fireman is just as good a sailor as the man on deck. Let us get as much good men on these vessels as we can. Instead of saying "on deck" let us say "at sea," and with the additional proviso that he shall know how to handle a lifeboat. Then you will have competent men on your vessels. Let us enact a law that will make the words "able seaman" mean what it once did—that he is a man trained in seamenhood; that he is capable of handling a lifeboat; that his experience and character is such as to guarantee that in an emergency he will give first-class assistance.

Mr. HARDY. Has the gentleman investigated the laws of other nations with reference to the term "able seaman," and has he found any such qualification or definition as it will mean something? I hope instead of saying "service on deck at sea" we will say "service at sea," because a fireman is just as good a sailor as the man on deck. Let us get as much good men on these vessels as we can. Instead of saying "on deck" let us say "at sea," and with the additional proviso that he shall know how to handle a lifeboat. Then you will have competent men on your vessels. Let us enact a law that will make the words "able seaman" mean what it once did—that he is a man trained in seamenhood; that he is capable of handling a lifeboat; that his experience and character is such as to guarantee that in an emergency he will give first-class assistance.

Mr. HUMPHREY of Washington. No; I have not, and it does not make any difference. I know the term "able seaman." There are no able seamen under the old definition, and whether they exist or not, now is the time to define the term. It will not do any harm.

Mr. HARDY. Is not the gentleman rather of the opinion that under the definition he would make now he would find no able seamen at all.

Mr. HUMPHREY of Washington. No. Every man who has been running upon these steamers for the past three years in the firemen's department or the engine department can qualify as an able seaman; and, as I said awhile ago, I decidedly object to passing a bill here that discriminates against the firemen and the other departments in favor of the men on deck, because they are all equally competent to handle lifeboats, and they are all entitled to the same consideration. This bill attempts to limit "able seamen" to the deck department, regardless of the fact that the other departments have just as competent seamen.

Under the definition I propose for "able seamen" the number would not only be more than doubled, but they would be "able seamen" in fact, and not as now, perhaps, only in name.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman understand that section 12 excludes from this service those employed on inland waterways?

Mr. HUMPHREY of Washington. It excludes from service anybody except a man who has had three years' experience at work on deck, or on the Great Lakes. I am glad the gentleman has made the suggestion to me. The bill as now drawn excludes fishermen, and they are the best sailors in the world. There is no other who can possibly compare with the fishermen in the world, in this bill unless a man who understands the definition of an able seaman he could not go on deck as a sailor, and fishermen, the best boatmen in the world, would be excluded.

Mr. MOORE of Pennsylvania. I call the gentleman's attention to section 2, which provides for the steamboat service on the Mississippi River. In addition to that I also call his attention to the provision of the Arkansas River that discriminates against the fishermen. It was proposed to limit the language that shall be spoken upon American ships I think that is a proposition that might probably be considered, but here we say that a Japanese vessel shall carry only Japanese crews. When a vessel comes into the port of Seattle from Japan, her Japanese crew can demand the wages due them and then desert. They do desert. Japanese sailors have become Americanized in that particular.

Mr. MAIDEN. How about the Chinese?

Mr. HUMPHREY of Washington. The Chinese sailors do not desert, first, because they are watched, and, further, a Chinaman almost universally regards his contract. If a Chinaman signs an agreement for the service of working on a Japanese ship he goes the round trip; but the Japanese sailor deserts. Now, suppose a Japanese ship comes into an American port and the crew desert, as they have every inducement to do under this bill. Then that vessel will not be permitted to depart from that port under penalties prescribed until it gets a Japanese crew who can understand the Japanese language. Where are they going to get that crew of Japanese? One of our vessels goes over to Japan and the crew deserts. That vessel has to get an American crew there. The same is true of Germany, of England, of all the countries of the world that come to our ports; they must have a language that speaks the language of its officers or they will not be granted clearance papers.

Now, as we have but 10 ships on the deep sea, and have but a few sailors in the world, does it become this country of ours that has not had enough wisdom to get a merchant marine of her own, or had enough wisdom to keep the flag on the ocean, to pass an act without entering into negotiation with the other nations of the world, without any notice to them to tell them what contracts they shall make with their sailors, how they shall pay them, what men they shall employ, what language they shall speak, and what tests shall be made of their efficiency? We do all this for all. The provisions I have just read refer to the foreigner and not to our ships. No good can come from the passage of such a law and no self-respecting nation will submit to it. We have no right to say to other nations how they shall conduct their business when it does not affect American interests.

Mr. WILSON of Pennsylvania. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. WILSON of Pennsylvania. Does not the gentleman believe that the United States has a perfect right to pass a law to regulate ships in its own ports, whether the ship belongs to foreign countries or to its own country?

Mr. HUMPHREY of Washington. I will admit that the Nation has the power under certain conditions, I will not say the right.

Mr. HARDY. Will the gentleman yield for another question?

Mr. HUMPHREY of Washington. Now.

Mr. HUMPHREY of Washington. No, I cannot yield until I go through with this inquiry. Now, I call attention of Members of the House to this paragraph:

The collector of customs may, upon his own motion, and shall, upon the sworn information of any citizen of the United States setting forth that this section is not invalid, order an examination.

That is, the contracts, language test, the experience the crew shall have, all these various requirements I have just read—cause a muster of the crew of any vessel to be made to determine the fact, and no clearance shall be given to any vessel failing to comply with the provisions of this section.

Now, what does that mean? We have to-day a strike of the sailors on some of our ships in the port of New York and some of our other eastern ports. A citizen of New York, like I, know nothing whatever; I am taking it simply as an illustration. Suppose to-day we had on the statute books this provision, any American citizen could tie up every vessel that comes into the port of the city of New York.

Mr. WILSON of Pennsylvania. Will the gentleman yield?
Mr. HUMPHREY of Washington. Not just now. Because it says that any American citizen may file an affidavit which shall constitute a muster of the crew of any vessel to determine these facts: Whether they speak the right language, to see if they have made contracts for advanced payments, to see if they are in good position to pay wages, to see if the seamen are properly paid. Each affidavit is a muster of all the various provisions just read. I asked Gen. Ulher the other day how long it would take to cause a muster of one of these crews.

Mr. WILSON of Pennsylvania. Will the gentleman yield?

Mr. HUMPHREY of Washington. In a moment. I want to call attention to the further fact that there is no penalty for the man that may make a false affidavit. He may make any affidavit he pleases. A great many people believe the thousands of people on board, carrying the United States mails, every hour worth thousands of dollars, just ready to sail, and here comes the master of an arriving vessel, and he says he was entertain, and ties up the vessel a week or more. I do not think that is fair legislation. I do not think it is just to the public or just to the shipowner or anybody. I do not think the seamen want any such law. I can say that I probably agree that any fair-minded man is in favor of this section as it stands.

Mr. WILSON of Pennsylvania. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. HUMPHREY of Pennsylvania. Is the gentleman aware of the fact that the British Board of Trade has that power?

Mr. HUMPHREY of Washington. Oh, the board of trade, yes; but this puts it in the hands of any American citizen.

Mr. WILSON of Pennsylvania. That is true, but the British Board of Trade acts on the complaints of the British subject.

Mr. HUMPHREY of Washington. But you say any American citizen may file an affidavit relating to every vessel that comes into port. There is no penalty whatever if the affidavit is false. He could make affidavits ready, and one man alone could tie up all the shipping of all countries that came into the port of New York.

Mr. WILSON of Pennsylvania. There is no penalty except the power of one man to disturb the shipping business of all other countries that come into the port of New York.

Mr. WILSON of Pennsylvania. That is a violation of the laws of the United States, to say nothing of the interests of our country.

Mr. HUMPHREY of Washington. Yes; but I would not place it in the power of any one person to do it. I simply am in favor of it after they have had a trial in court and there has been entered up finding them guilty not of violating a law made between themselves, but of violating a law of this country directly affecting the interests of our country.

Mr. HUMPHREY of Washington. Again, it is not the principle, but the manner of its exercise to which the gentleman objects.

Mr. HUMPHREY of Washington. I have no objection to making our laws obey the law of God. I do not believe in forcing it in the power of one man to destroy the shipping business of this country.

At the proper time, if the section stays in, I shall offer an amendment making a false affidavit perjury and prescribing suitable punishment therefor.

There is just one other section to which I desire to call attention, and then I shall be through, and that is section 13, which is as follows:

Sect. 13. That every sailing or steam vessel shall carry in her crew a boy; if she be 1,500 tons register or more, at least two boys or apprentices, and any vessel leaving any port of the United States without the boy or boys required by this section shall be liable to a penalty of $500 for each offense. That section is to be repealed, as it has been frequently pointed out that any vessel, after reasonable diligence, the boy or boys required by this section could not be obtained.

My objection to that section is that it does not mean anything—absolutely nothing. A boy is not required to do anything. The shipowners are not required to teach him anything. He is not required to pay him anything. That section is simply nothing: only that much writing on a piece of paper, signifying nothing. I am in favor of the American boy going to sea, and if we are going to have a provision of that kind, let it be one that means something, one that will require American boys to be trained in seamanship.

I desire to say just one word in regard to the "able seaman" clause as affecting the Great Lakes. If you adopt this provision in regard to "able seamen" in our Great Lakes, you will double the crew, and on some of them you will increase it three times. These men will have nothing to do whatever except to sail, and I am sure that the American vessel owner is not going to call upon to handle a lifeboat. There is no need of these extra "able seamen" even to handle lifeboats, because you have your firemen's and your stewards' departments, and the men there are as capable of handling a lifeboat as the "able seaman." I will give you one illustration. There is a vessel on Puget Sound called the Camano, which runs from Everett to an island five miles distant. Under the recent regulations adopted since the sinking of the Yosemite, it is necessary for the master of this vessel to carry either 10 or 12 lifeboats during the winter time. She has a maximum capacity of 180 passengers. She is never more than a few minutes from shore. Her entire crew consists of six men. Under this bill this little passenger vessel, with six men in her crew, would be compelled to carry 16 or 20 men on deck alone for the sole purpose of handling the lifeboats. The occasion for the use of all of them would not arise once a century. This in a varying degree would be true upon all vessels in the coastwise and lake traffic.

Mr. MANN. Mr. Speaker, if the gentleman is through, will he yield for a question?

Mr. HUMPHREY of Washington. Certainly.

Mr. MANN. In reference to section 1 of the bill, it provides for the number of hours of labor while a vessel is in port, and then provides:

Whenever the master of any vessel shall fail to comply with this section the seamen shall be entitled to discharge from such vessel and shall, upon demand, receive wages then earned.

Would it be practical under that by collision to obtain entry into the United States of foreigners who under the immigration laws could not get in?

Mr. HUMPHREY of Washington. I made that suggestion and asked a member of the Committee on Immigration to study that point. The gentleman is here now. I do not know whether he gave it his attention or not. As far as I am concerned I am not prepared to say.

I desire to call attention to this one other point made by the people upon the Pacific coast about paying wages in every port touched. In a vessel running from Seattle to Alaska, the wages would end at Bellingham, and the wages would be entitled to one-half of their wages. It would then go on to Skagway, and there they could demand half of what was left, and so from port to port so that very little would be left when it arrived at its final port. It is claimed that this is a very great inducement for seamen to desert in Alaskan ports, as good jobs are usually easy to find. Under this bill the shipowners claim that it would be practically impossible to maintain good service to Alaska during the summer months.

I thank the House for its patience and consideration. [Applause.]

Mr. ALEXANDER. Mr. Speaker, I would ask permission to revise and extend my remarks.

The SPEAKER pro tem. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. ALEXANDER. Mr. Speaker, I would like to ask the gentleman from Massachusetts how many speeches he has on this side?

Mr. GREENE of Massachusetts. I have not one more on our side and I would be very glad if the gentleman would consume the balance of his time.

Mr. GREENE of Massachusetts. I yield five minutes to the gentleman from Massachusetts. [Mr. Harris.]

Mr. HUMPHREY of Washington. May I ask how much time has been consumed on either side?
The SPEAKER pro tempore. The gentleman from Massachusetts has 21 minutes left and the gentleman from Missouri 62 minutes.

Mr. GREENE of Massachusetts. The gentleman had better consider some of his time.

Mr. ALEXANDER. We want to get through by 6 o'clock and Mr. Wilson is going to cut his remarks short.

Mr. HUMPHREY of Washington. The fact is that all those who had indorsed its work or who had been associated with it and those who have indicated that the action was much more valuable and far-reaching. The original purpose of that investigation was soon practically forgotten. The result of that investigation was that the Government was called upon to furnish evidence of conditions that were far more interesting to the Committee and to the country than the unfortunate personal controversy in which he had become involved with some Members of Congress. While that investigation did offer the opportunity to help the sailor and to prove to the country what he had long aspired to be the fact, that the regular foreign shipping lines that come into the ports of this country, both upon the Atlantic and the Pacific, made considerable profits and expended some of that profit to help the sailor, and I want you gentlemen to join me and we will see whether this bill is really introduced for that purpose or not.

The two gentlemen from California [Mr. KENT and Mr. RAKER] came forward to indorse this bill. Whether they intend to bring the crew under a keel, but I do not understand that they are not working for the benefit of the American sailor but for the Japanese sailor.

This bill will help to drive the few remaining American ships from the Pacific, unless it is the line that has just started to run under the subsidy act of 1891, would soon go under a foreign flag. The fact is that the Chinese and Japanese, have given to us the opportunity of driving the Stars and Stripes from the Pacific that carried 97 per cent of our shipping were all formed under a foreign flag.

While the Chinese and Japanese have given to us the opportunity of driving the Stars and Stripes from the Pacific that carried 97 per cent of our shipping were all formed under a foreign flag, it is certain that every American vessel on the Pacific, that will haul down that flag we will see whether this bill is really introduced for that purpose or not.

Mr. newport. Mr. Speaker, if this bill will help to drive the few remaining American ships from the Pacific, unless it is the line that has just started to run under the subsidy act of 1891, would soon go under a foreign flag. This bill will help to drive the few remaining American ships from the Pacific, unless it is the line that has just started to run under the subsidy act of 1891, would soon go under a foreign flag. The fact is that the Chinese and Japanese, have given to us the opportunity of driving the Stars and Stripes from the Pacific that carried 97 per cent of our shipping were all formed under a foreign flag.

Mr. Penton. Mr. Speaker, I know that the gentleman has said that a great many times. So far as I am concerned, as long as every other vessel on the Pacific Ocean employs Oriental crews, and American moves in the deep-sea trade, either upon American ships, except its officers, or upon foreign ships. We would add all this burden to American commerce, to American shipping, without benefitting the American citizen.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREY of Washington. For a question; yes.

Mr. HARDY. Does it make any difference to us whether the flag is the Japanese or the American if the crew is all Japanese?

Mr. HUMPHREY of Washington. Mr. Speaker, I know that the gentleman has said that a great many times. So far as I am concerned, as long as every other vessel on the Pacific Ocean employs Oriental crews, and American moves in the deep-sea trade, either upon American ships, except its officers, or upon foreign ships.

Mr. Penton. Mr. Speaker, I know that the gentleman has said that a great many times. So far as I am concerned, as long as every other vessel on the Pacific Ocean employs Oriental crews, and American moves in the deep-sea trade, either upon American ships, except its officers, or upon foreign ships. We would add all this burden to American commerce, to American shipping, without benefitting the American citizen.

Mr. HUMPHREY. Of course, and I take it to be a fact that the Committee on Merchant Marine and Fisheries, and a few days ago, after considerable discussion, passed the House by unanimous consent. The facts brought out at this hearing have interested the House by unanimous consent. The facts brought out at this hearing have interested the House by unanimous consent.

Mr. HUMPHREY. Of course, and I take it to be a fact that the Committee on Merchant Marine and Fisheries, and a few days ago, after considerable discussion, passed the House by unanimous consent. The facts brought out at this hearing have interested the House by unanimous consent.

Mr. Penton. Mr. Speaker, it has been brought to the attention of the public that the condition in relation to the coffee trade especially, a subject that has since been considerably exploited and exposed by Members of Congress and the press. Original written rebate contracts in favor of this coffee trade, direct violation of the antitrust law of this country, between New York merchants and this South American conference, were presented before the committee and copies published in the hearing. Upon the evidence secured at this hearing I made a speech on the floor of the House, and the facts that I stated in relation to this foreign steamship combine attracted attention throughout the country. I brought to the attention of the public the condition in relation to the coffee trade especially, a subject that has since been considerably exploited and exposed by Members of Congress and the press. Original written rebate contracts in favor of this coffee trade, direct violation of the antitrust law of this country, between New York merchants and this South American conference, were presented before the committee and copies published in the hearing. Upon the evidence secured at this hearing I made a speech on the floor of the House, and the facts that I stated in relation to this foreign steamship combine attracted attention throughout the country. I brought to the attention of the public the condition in relation to the coffee trade especially, a subject that has since been considerably exploited and exposed by Members of Congress and the press. Original written rebate contracts in favor of this coffee trade, direct violation of the antitrust law of this country, between New York merchants and this South American conference, were presented before the committee and copies published in the hearing. Upon the evidence secured at this hearing I made a speech on the floor of the House, and the facts that I stated in relation to this foreign steamship combine attracted attention throughout the country. I brought to the attention of the public the condition in relation to the coffee trade especially, a subject that has since been considerably exploited and exposed by Members of Congress and the press.
that if her entire crew had been so-called "able seamen" that the result would have been any different or that an additional life would have been saved. Indeed, the truth is that in those hours of fear and frenzy, one life was saved was largely due to the brave and heroic efforts of her passengers. To them belongs the greatest credit. That the Titanic was not efficiently equipped is unfortunately true. It is also true that another instance of such great disaster in a perfectly quiet sea will probably occur again in a thousand years. It is also true that under ordinary circumstances—that is, an ordinarily rough sea—that lifeboats would have been absolutely useless. Any attempt to use them in a rough sea, except at the last moment and as a last resort, would be futile, I think, to insist, let us say, that there were not enough lifeboats on board to save all those persons that may ever have had on board.

The speed at which the Titanic traveled was inexcusable. The method of her construction was monstrously criminal. In the construction of the Titanic is the foundation of the tragedy. She was not better equipped for saving life because it was believed that there could not arise any necessity for such equipment. She was sent at tremendous speed in dangerous waters in spite of repeated warnings because it was believed that she was unsinkable. The primary crime in connection with that unparalleled disaster of the sea was the faulty building of the Titanic, not in its construction. I have had occasion to talk with expert constructors in regard to this disaster, and they all assure me that the Titanic was not properly built but that the work was not properly done; that the vessel was not properly inspected and tested. It is said, as a fact, that her watertight bulkheads were never properly tried, and if they had been that their weakness and want of construction would have been demonstrated.

Naval experts have assured me that if the Titanic had been so constructed as to pass the naval test prescribed by this country in the construction of our vessels that the injury she received would not have sunk her. They assure me that there is not one vessel constructed upon plans that have been approved by our Navy Department that would have been sunk by a similar injury. All American vessels crossing the Atlantic to-day were constructed upon plans approved by the Secretary of the Navy. For 20 years the American line of vessels so constructed has not lost a passenger nor even a mail sack. There is an illustration of real safety at sea, and this safety is largely to be found in the construction of the vessel and not in the equipment and provisions made to save life and property when the vessel is wrecked.

The construction of a nonsinkable vessel is not impossible. It will soon be accomplished. It would be wrong, indeed, to discourage attempts in this direction because of the faulty construction and the criminal and negligent inspection that caused the Titanic not to be so.

In face of what is past and present, the question that great calamity, in sympathy and in hysteric, all kinds of plans have been proposed to prevent such disasters in the future, and almost everybody has been condemned for what occurred. Bills of merit and bills without merit have been assuredly proposed in Congress and the admixture of producing greater safety at sea. Some of them were sincere in purpose and some, I regret to say, were intended only to secure a little newspaper notoriety. It is worthy of attention that we condemn everybody but ourselves. But does Congress stand blameless for this great tragedy? Are we without fault when we have placed ourselves where we can only compel other nations to properly equip their vessels and citizens and find it impossible to compel proper construction in the first place? Has Congress honestly tried in the last few years to bring about a condition of highest safety at sea for American lives? It says that there has never been any such act of sectionalism, and remember only our country and our country's prosperity and the safety of our country in the care and keeping of other nations. Let us hope that some day before we learn it in the awful lesson of war that Congress will awake to the necessity for action in reference to this matter. Let us hope that some day not far distant Congress will forget parties and parochialism, politics and prejudice, and sectionalism, and remember only our country and our country's good and will pass a law, not to destroy, but to uphold our American merchant marine.
just those men, and still they would be unable to qualify. I could go from the point of Florida to Eastport, Me., and find men who can handle lifeboats better than most men who go to sea. But I have never had these years' sea service on deck. They are used to boats and these young men are men who want to enter the service and ultimately get the rank of able seaman under the provisions of the bill, and I hope that language will be amended to cover those cases.

ENROLLED BILL SIGNED.

Mr. CRAVENs, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the 16th instant, when the same was enrolled and signed by the Speaker.

H. R. 19403. An act authorizing the Director of the Census to collect and publish statistics on cotton.

ENROLLED BILLS AND JOINT RESOLUTION 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 and joint resolution:

H. R. 22515. An act granting pensions and increases of pension to widows 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:

H. R. 17258. An act to authorize the Arkansas & Memphis Railway Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River:

H. R. 20601. An act to authorize the Secretary of the Treasury to exchange the site heretofore acquired for a United States immigration station in Baltimore, Md., for another suitable site, and to pay, if necessary, out of the appropriation herefore made for said immigration station, an additional sum in accomplishing such exchange, or to sell the present site and the money procured from such sale to revert to the appropriation made for said immigration station, and to purchase another site in lieu thereof; and

H. J. Res. 220. Joint resolution to grant American citizenship to Eugene Prince.

EXTENSION OF REMARKS.

Mr. RAINEY. Mr. Speaker, I want to ask unanimous consent to print in the Congressional Record an article which appeared recently in the American Anti-Socialist on the subject of socialism, together with the list of books on the subject of socialism.

Mr. MANN. Mr. Speaker, I do not know I should object to the request if the request were made so that anyone could hear what the gentlemen say or if the Chair would state what the request is.

Mr. RAINEY. It is to print in the Congressional Record an article which appeared recently in the Anti-Socialist on the subject of socialism, together with a list of books on the subject of socialism. Both articles are very brief, and I desire to have them printed in connection with the speech of the gentleman from Wisconsin [Mr. Braga].

Mr. MANN. I have no objection.

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

ADJOURNMENT.

Mr. ALEXANDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes) the House adjourned to meet to-morrow, Friday, July 19, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting estimate of appropriation incident to the temporary removal of the force employed in the customs houses at Boston, Mass. (H. Doc. 574), was taken from the Speaker's table, referred 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. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 4897) to satisfy certain claims against the Government arising under the Navy Department, reported the same with amendment, accompanied by a report (No. 1026), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAY, from the Committee on Military Affairs, to which was referred the bill (H. R. 17258) to fix the status of officers of the Army detailed for aviation duty, and to increase the efficiency of the aviation service, reported the same without amendment, accompanied by a report (No. 1021), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON, from the Committee on the Public Lands, to which was referred the bill (H. R. 25764) to subject lands of the Fort Nikanibon Military Reservation and other lands to homestead entry, reported the same with amendment, accompanied by a report (No. 1022), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 15263) to provide for the proper deed of conveyance to real estate in the District of Columbia when the United States contributes to its purchase or condemnation, reported the same with amendment, accompanied by a report (No. 1027), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DURFÉ, from the Committee on the Judiciary, to which was referred the bill (H. R. 25342) to amend section 90 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and for other purposes, reported the same without amendment, accompanied by a report (No. 1034), which said bill and report were referred to the House Calendar.

Mr. SULZER, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 827) requesting the President of the United States to direct the Secretary of State to issue the papers to enable foreign citizens to participate in the Fourth International Congress on School Hygiene, reported the same without amendment, accompanied by a report (No. 1028), which said bill and report were referred to the House Calendar.

Mr. EVANS, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 353) to authorize the loan of obsolete Springfield rifles, etc., to the Historical Pageant Committee, Philadelphia, Pa., reported the same without amendment, accompanied by a report (No. 1029), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXVII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PEPPERS: A bill (H. R. 25824) to direct the Attorney General to take an appeal to the Supreme Court of the United States from a decree of the Circuit Court of the United States for the District of Delaware in the suit of the United States against the E. I. du Pont de Nemours & Co. and others, and extend the time for taking such appeal, and for other purposes; to the Committee on the Judiciary.

By Mr. CARY: A bill (H. R. 25825) for the establishment of a uniform system of weights and measures in the United States; to the Committee on Ways and Means.

By Mr. SABBATH: A bill (H. R. 25826) prohibiting the transmission of messages regarding horse racing; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS: A bill (H. R. 25827) to re-serve rights of way for development of power in patents granted.
for allotted or surplus Indian lands, and for other purposes; to the Committee on Appropriations.

By Mr. STEENBERSON: A bill (H. R. 25828) to prevent monopoly in the coastwise trade between the Atlantic and Pacific ports of the United States via the Panama Canal; to the Committee on Appropriations.

By Mr. SPARKMAN: A bill (H. R. 25829) to permit second homesteads in certain cases, and for other purposes; to the Committee on the Public Lands; to the Committee on Agriculture and Forestry.

By Mr. LANDRETH: A bill (H. R. 25830) to provide for the purchase of a site and the erection of a building thereon at the city of West Point, State of Virginia; to the Committee on Public Buildings and Grounds and Naturalization.

By Mr. OSS: (by request): A bill (H. R. 25831) to prevent accidents on the ocean; to the Committee on the Merchant Marine and Fisheries.

By Mr. FAISON (for the Committee on the Merchant Marine and Fisheries): A bill (H. R. 25832) to establish fish-hatching and fish-culture stations in various States in the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. HARRISON of New York: A bill (H. R. 25833) to amend an act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909; to the Committee on Ways and Means.

Also, a bill (H. R. 25834) imposing a tax upon and regulating the production, manufacture, and distribution of certain habit-forming drugs; to the Committee on Ways and Means.

By Mr. LINDBERGH: Resolution (H. Res. 688) to provide for the appointment of a standing committee to be known as the Committee on Industrial Relations; to the Committee on Rules.

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. 25835) granting a pension to Rebecca Getz; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 25836) granting an increase of pension to Elizabeth Emerson; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 25837) granting an increase of pension to Isabella Calles; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 25838) for the relief of heirs of Joseph Slivory, deceased; to the Committee on War Claims.

By Mr. FERGUSSON: A bill (H. R. 25839) to correct the military record of Ramon Padilla; to the Committee on Military Affairs.

Also, a bill (H. R. 25840) to correct the military record of Juan Orna; to the Committee on Military Affairs.

By Mr. GOOD: A bill (H. R. 25841) granting an increase of pension to William Eyer; to the Committee on Invalid Pensions.

By Mr. HAMILTON of West Virginia: A bill (H. R. 25842) to correct the military record of Elijah Dickerson; to the Committee on Military Affairs.

Also, a bill (H. R. 25843) granting an increase of pension to David Gruber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25844) granting an increase of pension to James A. Jenkins, Jr., and Susie E. Haswell; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 25845) granting a pension to Thomas J. Riley; to the Committee on Pensions.

By Mr. HOWELL: A bill (H. R. 25847) granting an increase of pension to Thomas B. Gunn; to the Committee on Invalid Pensions.

By Mr. JOHNSTON of Kentucky: A bill (H. R. 25848) for the relief of Mary O. Lane; to the Committee on War Claims.

By Mr. BASHAM: A bill (H. R. 25849) for the relief of John Brock; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 25850) for the relief of A. Langhrit; to the Committee on War Claims.

Also, a bill (H. R. 25851) granting a pension to Henry Mason; to the Committee on Pensions.

Also, a bill (H. R. 25852) for the relief of the legal representatives of William Harris; to the Committee on War Claims.

By Mr. RASH: A bill (H. R. 25853) granting a pension to Henry Kline; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 25854) granting a pension to Augusta Friedlin; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 25855) granting a pension to Eliza Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25856) granting a pension to Martha Jane Bell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of St. Clara Society, No. 201, of Chicago, Ill., protesting against the passage of House bill 22257, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. ASHBRook: Petition of Rev. Charles C. Oyster and official board of the Oak Chapel Methodist Episcopal Church, Wooster, Ohio, protesting against the restoration of the army cemetery; to the Committee on Military Affairs.

By Mr. BYRNS of Tennessee: Petition on private bill for the relief of heirs of Joseph Slivory, of Madison County, Ala.; to the Committee on War Claims.

By Mr. CALDEI: Petition of the Imperial Chemical Manufacturing Co., of New York, protesting against the passage of the Richardson bill (H. R. 14090); to the Committee on Interstate and Foreign Commerce.

Also, petition of the Daughters of Liberty of Brooklyn, N. Y., favoring passage of House bill 22257, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Allied Printing Trades Council of New York, protesting against the passage of House bill 22590, a parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of the Hebrew Veterans of the War with Spain, New York, protesting against the passage of House bill 22597, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the United Spanish War Veterans, favoring legislation pensioning widows and orphans of the Spanish-American War; to the Committee on Pensions.

Also, petition of the M. B. Brown Printing & Binding Co., New York, protesting against the passage of House bill 22650, a parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of the National Association of Piano Merchants of America, protesting against the passage of any bill affecting price maintenance; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Philadelphia Chamber of Commerce, favoring investigation of all foreign and domestic fire insurance companies; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Naval Militia, New York, favoring passage of House bill 22588, relative to placing the Naval Militia on the same basis as the National Guard; to the Committee on Naval Affairs.

Also, petition of the Grand Lodge Free and Accepted Masons of the State of Wisconsin, favoring passage of House joint resolution relative to placing Indiana on the list of tombstones in national cemeteries; to the Committee on Military Affairs.

By Mr. FRY of Arkansas: Petitions accompanying bill for the indemnity of Lowery Maginnis, widow of James McCutie, late of Company I, Second Regiment New York Cavalry; to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of Frank M. Bunch, president Board of Trade of the City of Chicago, in opposition to any legislation restricting speculative dealing in grain; to the Committee on Agriculture.

By Mr. KINNEAD of New Jersey: Petition of citizens of Jersey City, favoring passage of House bill 22587, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. LINDWAX: Petition of Simpson-Crawford Co. and the Fourteenth Street Store, New York, protesting against the passage of Senate bill 6850, providing for a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of the St. Augustine Board of Trade, St. Augustine, Fla., favoring passage of bill turning the powder-house lot over to the city of St. Augustine for a public park; to the Committee on Military Affairs.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Nebraska, favoring passage of legislation giving the Interstate Commerce Commission further power toward regulating express rates and classifications; to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY: Petition of the St. Augustine Board of Trade, St. Augustine, Fla., favoring passage of bill turning the...
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powder-house lot over to the city of St. Augustine as a public park; to the Committee on Military Affairs.

By Mr. REYBURN: Petition of the St. Augustine Board of Trade, St. Augustine, Fla., favoring legislation making a public park of the powder-house lot; to the Committee on Military Affairs.

By Mr. SULZER: Petition of the St. Augustine Board of Trade, St. Augustine, Fla., favoring passage of bill giving the powder house lot as a public park; to the Committee on Military Affairs.

Also, petition of the Shorthand Club, of New York (Inc.), protesting against passage of House bill 4026, providing for appointment of shorthand reporter for United States district courts; to the Committee on the Judiciary.

Also, petition of the Washington Chamber of Commerce, Washington, D. C., urging action on legislation relative to the District of Columbia; to the Committee on the District of Columbia.

By Mr. YOUNG of Texas: Petition of the Van Zandt County Union of Texas, favoring passage of a parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of the Van Zandt County Union of Texas, favoring legislation creating a legal tender for debt, to be circumscribed by the banking system; to the Committee on Banking and Currency.

SENATE.

FRIDAY, July 19, 1912.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

Proceeded to recess until the Journal of yesterday's proceedings, when, on request of Mr. Smoot and by unanimous consent, the further reading was dispensed with and the Journal was approved.

LEASE OF POWER SITES (S. DOCS. NO. 850).

The PRESIDENT pro tempore (Mr. GALLINGHOUSE) laid before the Senate a communication from the Secretary of the Interior, transmitting in response to a resolution of February 5, 1912, certain information relative to the number of power sites which have been leased within and without forest reservations, the quantity of power available in each, the length for which leases have been made, the amount of power sold, and the revenues derived therefrom, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

CIVIL-SERVICE EMPLOYEES FROM NEW HAMPSHIRE (S. DOCS. NO. 879).

The PRESIDENT pro tempore laid before the Senate a communication from the Civil Service Commission, transmitting, in response to a resolution of the Senate, a statement of the number of persons in the departments and independent offices in Washington, D. C., appointed from the State of New Hampshire, which was ordered to lie on the table and to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1940) authorizing the Director of the Census to collect and publish statistics of cotton, and it was thereafter signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a petition of Journeymen Barbers' Local Union No. 117, of Moline, Ill., praying for the passage of the so-called Injunction Limitation bill, which was referred to the Committee on the Judiciary.

He also presented a petition of Local Division No. 590, International Brotherhood of Locomotive Engineers, of Chicago, Ill., and a petition of Local Division No. 52, International Brotherhood of Locomotive Engineers, of Aurora, Ill., praying for the enactment of legislation granting to the publications of fraternal associations the privileges of second-class mail matter, which were referred to the Committee on Post Offices and Post Roads.

LEWIS LEMERT.

Mr. JONES, from the Committee on Military Affairs, to which was referred the bill (S. 2224) for the relief of Lewis Lemert, submitted an adverse report (No. 650) thereon, which was agreed to, and the bill was postponed indefinitely.

BILLS AND JOINT RESOLUTION INTRODUCED.

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

For Mr. LODGE. I introduce a bill which I ask may be read twice by its title and referred to the Committee on Claims, with the request that it may be included by the committee in the resolution referring cases to the Court of Claims for adjudication.

The bill (S. 7339) for the relief of the stockholders of the First National Bank of Newton, Mass., was read twice by its title and referred to the Committee on Claims.

Mr. SWANSON: A bill (S. 7337) to provide for the purchase of a site and the erection of a building thereon at the city of West Point, State of New York; to the Committee on Public Buildings and Grounds.

By Mr. TOWNSEND: A bill (S. 7338) to create the coast guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service; to the Committee on Commerce.

By Mr. ROOT: A bill (S. 7339) to provide for the entry under bond of exhibits of arts, sciences, and industries; to the Committee on Finance.

By Mr. JOHNSON of Maine: A bill (S. 7340) granting an increase of pension to Willard R. Merrill; and a bill (S. 7341) granting an increase of pension to Albert T. Wharton (with accompanying papers); to the Committee on Pensions.

For Mr. ROOT: A joint resolution (S. J. Res. 123) authorizing the President of the United States to invite foreign governments to send representatives to the Fourth International Congress on School Hygiene; to the Committee on Foreign Relations.

ONE CLAIMS BILL.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 19135) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1886, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, which was ordered to lie on the table and to be printed.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. CRANE submitted an amendment proposing to appropriate $1,500 for one-half of the cost of construction of a sidewalk on Revere Street, bordering the property of the Government at Fort Banks, Mass., etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

THE FOREST SERVICE.

Mr. OVERMAN submitted the following resolution (S. Res. 359): that a committee of five Senators, to be appointed by the President of the Senate, is hereby authorized and directed to inquire into and investigate all expenditures in the Forest Service of the Department of Agriculture, to report to the Senate thereon, and for this purpose they are authorized to sit during the sessions or recesses of Congress, at such times and places as they may deem desirable or necessary, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, to conduct hearings and have reports of same printed for use, and to employ such clerks, stenographers, and other assistants as shall be necessary, and any expenses in connection with such inquiry shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

ALLOTTES OF THE FIVE CIVILIZED TRIBES.

Mr. GAMBLE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4048) to amend an act approved May 27, 1908, entitled "An act for the removal of restrictions from part of the lands of allottees of the Five Civilized Tribes, and for other purposes," having met after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the House amendment and agree to the same with the following amendment:

"Provided, That no conveyance of any interest by a full-blood heir of inherited allotted land heretofore or hereafter