

and operation of telephone and telegraph systems; to the Committee on the Post Office and Post Roads.

Also, resolution adopted by the City Council of Grand Rapids, Mich., in support of legislation to pension aged and disabled civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. MAGUIRE of Nebraska: Petitions of citizens of Nebraska, against national prohibition; to the Committee on Rules.

By Mr. MERRITT: Petition of citizens of Saranac Lake, Burke, North and West Bangor, N. Y., and sundry citizens of the State of New York, favoring national prohibition; to the Committee on Rules.

Also, petitions of John M. Reed and others, of St. Lawrence County, N. Y., protesting against national prohibition; to the Committee on Rules.

By Mr. NELSON: Petition of sundry citizens of North Clayton, Wis., favoring national prohibition; to the Committee on Rules.

By Mr. O'LEARY: Petition of citizens of second congressional district of New York, favoring national prohibition; to the Committee on Rules.

Also, petition of Claffin, Thayer & Co., of New York City, protesting against the Clayton antitrust bill; to the Committee on the Judiciary.

Also, memorial of General Post Office Letter Carriers' Mutual Benefit Association, of New York City, protesting against section 6 of House bill 12928; to the Committee on the Post Office and Post Roads.

By Mr. PAIGE of Massachusetts: Papers to accompany H. R. 17755, granting a pension to William P. La Croix; to the Committee on Pensions.

Also, papers to accompany H. R. 17756, granting a pension to George P. Clark; to the Committee on Invalid Pensions.

By Mr. PATTEN of New York: Petition of citizens of New York City, favoring national prohibition; to the Committee on Rules.

By Mr. PAYNE: Petitions of sundry citizens of the thirty-sixth congressional district of New York, favoring national prohibition; to the Committee on Rules.

By Mr. RAKER: Petition of Thomas Halls, of California, protesting against national prohibition; to the Committee on Rules.

By Mr. REILLY of Connecticut: Petition of the Brandford (Conn.) Baptist Church, favoring national prohibition; to the Committee on Rules.

By Mr. ROBERTS of Massachusetts: Papers to accompany H. R. 17604, granting a pension to Francis Prendergast; to the Committee on Pensions.

Also, papers to accompany H. R. 17605, granting an increase of pension to Henry D. Moulton; to the Committee on Invalid Pensions.

Also, petition of 55 citizens of Somerville, and Robinson Methodist Episcopal Church, of Malden, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. SCULLY: Telegrams in favor of Hobson amendment: Manasquan Methodist Protestant Sunday School; 80 members of the Epworth League, Point Pleasant; 200 members Point Pleasant Methodist Church; the Grace Methodist Church, Red Bank; the Central Baptist Church, Atlantic Highlands; the Woman's Christian Temperance Union, Manasquan; 150 members of New Monmouth Baptist Church; the Bay Head Methodist Episcopal Church, 60 members; First Methodist Church, Red Bank; the Twilight Members, Ocean Grove Camp Meeting; 1,000 members of St. Luke's Methodist Episcopal Church, Long Branch; St. Luke's Sunday School, Mrs. M. Newman in charge, Long Branch; 195 members New Monmouth Baptist Church; 100 members First Reformed Church, Red Bank; the Christian Endeavor Society, Perth Amboy; W. G. Eisle Bible Class, Long Branch; 140 members First Presbyterian Church, Point Pleasant; 35 members Christian Endeavor Society, First Presbyterian Church of Point Pleasant; 125 members Sunday School First Presbyterian Church of Point Pleasant, 400 members First Methodist Episcopal Church, Bradley Beach; 1,100 members St. Luke's Methodist Episcopal Church, Asbury Park; the First Methodist Episcopal Church of Manasquan; First Methodist Episcopal Church, Atlantic Highlands; Grace Methodist Episcopal Church, Red Bank, all in the State of New Jersey; to the Committee on Rules.

Also, petition of United States Civil Service Retirement Association, relative to retirement of superannuated Government employees; to the Committee on Reform in the Civil Service.

Also, petition of Flax Dressers, Local No. 694, affiliated with American Federation of Labor, Paterson, N. J., relative to taking

3-cent duty off the dressed line of hackled flax; to the Committee on Ways and Means.

Also, petition of New Brunswick (N. J.) Political Study Club, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: Petition of L. S. Golden and 5 other citizens of Caldwell, Idaho, protesting against enactment of resolution to amend the Constitution so as to prohibit the sale, manufacture, or importation of intoxicating liquors; to the Committee on Rules.

By Mr. STEDMAN: Petition of sundry citizens and congregation of the North Main Street Methodist Protestant Church, High Point, N. C., favoring national prohibition; to the Committee on Rules.

By Mr. STEVENS of Minnesota: Memorial of congregation of the Swedish Methodist Episcopal Church, Stillwater, Minn., favoring national prohibition; to the Committee on Rules.

## SENATE.

WEDNESDAY, July 8, 1914.

The Senate met at 11 o'clock a. m.

Rev. J. L. Kibler, D. D., offered the following prayer:

O Lord, our Lord, how excellent is Thy name in all the earth. Thy glory is set above the heavens and Thy kingdom ruleth over all. We humble ourselves, therefore, unto Thy mighty hand. We bow in Thy presence and fall at Thy feet. We acknowledge our dependence upon Thee and look to Thee for Thy guiding hand. Leave us not to ourselves. Inspire us with lofty aims and worthy ambitions. Give us a clear conception of Thy will and supply us with grace for the accomplishment of Thy purposes and for meeting all demands upon us this day. We ask in Christ's name. Amen.

The Journal of yesterday's proceedings was read and 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 the following bills and joint resolution:

S. 388. An act for the relief of Ella O. Richardson;

S. 2903. An act for the relief of Judd McKelvey;

S. 3488. An act for the relief of Ernest C. Stahl;

S. 3817. An act authorizing the issuance of a patent to James Gunning for lot 2, section 32, township 29 north, range 39 east, Montana; and

S. J. Res. 105. Joint resolution authorizing the President to accept an invitation to participate in the Sixth International Dental Congress.

The message also announced that the House had passed the bill (S. 1644) for the relief of May Stanley, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 4714) to authorize Louis Eder to enter lands under the homestead laws, with an amendment, in which it requested the concurrence of the Senate.

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

H. R. 1062. An act granting a patent to Joseph Robicheau;

H. R. 1516. An act for the relief of Thomas F. Howell;

H. R. 1528. An act for the relief of T. A. Roseberry;

H. R. 1698. An act to amend an act entitled "An act to provide for an enlarged homestead," and acts amendatory thereof and supplemental thereto;

H. R. 2703. An act for the relief of Drenzy A. Jones and John G. Hopper, joint contractors, for surveying Yosemite Park boundary;

H. R. 2978. An act for the relief of the estate of Thomas F. Swafford, deceased, late of the State of Louisiana, for carrying United States mail on Route No. 8263, in the State of Louisiana, during the period from January 1, 1861, to May 31, 1861;

H. R. 3430. An act for the relief of Lottie Rapp;

H. R. 3586. An act for the relief of Francis Tomlinson;

H. R. 4001. An act for the relief of Daniel J. Ryan;

H. R. 4266. An act granting patent to certain lands to the legal heirs of W. F. Nichols;

H. R. 4628. An act for the relief of N. Ferro;

H. R. 4952. An act to refund to John B. Keating customs tax erroneously and illegally collected at Portland, Me., on cargo of coal March 11, 1903;

H. R. 7078. An act for the relief of Mary Macon Howard;

H. R. 9701. An act for the relief of F. W. Theodore Schroeter;

H. R. 10460. An act for the relief of Mary Cornick;

H. R. 10765. An act granting a patent to George M. Van Leuven for the northeast quarter of section 18, township 17 north, range 19 east, Black Hills meridian, South Dakota;

H. R. 12229. An act for the relief of William A. Wallace;

H. R. 12484. An act to pay the Cleveland Press, of Cleveland, Ohio, \$200 for a horse shot because of injuries sustained on a defective platform scale in the post office at Cleveland, Ohio;

H. R. 13108. An act for the relief of George H. Hammond;

H. R. 13123. An act for the relief of Charles H. Rayfield, alias Charles H. Czarnowsky;

H. R. 13167. An act for the relief of the legal representatives of the estate of Robert B. Pearce;

H. R. 13470. An act for the relief of James Grady;

H. R. 13965. An act to refund to the Sparrow Gravely Tobacco Co. the sum of \$176.99, the same having been erroneously paid by them to the Government of the United States;

H. R. 14679. An act for the relief of Clarence L. George;

H. R. 14931. An act for the relief of Arthur Brose;

H. R. 15414. An act for the relief of David Mowen;

H. R. 15557. An act for the relief of Anna Miller;

H. R. 16163. An act for the relief of Theodore Bagge;

H. R. 16205. An act for the relief of Davis Smith;

H. R. 16431. An act to validate the homestead entry of William H. Miller;

H. R. 16713. An act for the relief of Samson Davis;

H. R. 16795. An act to reimburse the owners of the schooner *Thomas W. H. White*; and

H. R. 17045. An act for the relief of William L. Wallis.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED.

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

S. 4441. An act to extend the provisions of the act of June 23, 1910 (36 Stat. L., 592), authorizing assignment of reclamation homestead entries, and of the act of August 9, 1912 (37 Stat. L., 265), authorizing the issuance of patents on reclamation homestead entries, to lands in the Flathead irrigation project, Montana; and

H. J. Res. 279. Joint resolution to amend an act entitled "An act granting pensions and increase in pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved May 2, 1914.

#### PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of Daniel Webster Grange, Patrons of Husbandry, of Webster, N. H., praying for Government ownership and operation of telegraph and telephone lines in connection with the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Washington, D. C.; of Creston, Nebr., and of Los Angeles, Cal., praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of Germania Lodge, No. 507, of Chattanooga, Tenn., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Rothville, Mo.; Oklahoma City, Okla.; White, S. Dak.; Winfield, Iowa; and Birmingham, Ala., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a memorial of the congregation of First Seventh-day Adventist Church of Condersport, Pa., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. SHEPPARD presented a petition of the congregation of the Presbyterian Church of Palacios, Tex., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Texas, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a resolution adopted by the Woman's Missionary Society of the North Alabama Conference of the Methodist Episcopal Church South, in conference at Talladega, Ala., favoring the enactment of legislation to regulate interstate commerce in the products of child labor, which was referred to the Committee on Education and Labor.

Mr. THORNTON. I present a telegram from L. D. Posey, chairman of the Vivian Citizens' Civic League, and James Gallo-way, mayor of the city of Vivian; a telegram from sundry citizens of Slidell; a petition of sundry citizens of Crowley; and a petition of the congregation of the Methodist Episcopal Church of Bell City in the parish of St. Landry, all in the State of Louisiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors. I ask that the telegrams and petitions be referred to the Committee on the Judiciary.

The VICE PRESIDENT. The telegrams and petitions will be received and referred to the Committee on the Judiciary.

Mr. MYERS presented resolutions adopted by the Democratic Club of Ronan, Mont., favoring the enactment of legislation providing for the opening of the unappraised, unallotted Indian lieu and power reserve lands, which were referred to the Committee on Public Lands.

He also presented petitions of sundry churches and citizens in the State of Montana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. HUGHES presented petitions of sundry citizens of Pater-son, Ridgefield Park, Woodstown, New Brunswick, Camden, Guttenberg, Union, Jersey City, Crawford, Montclair, and River-ton, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

Mr. BRANDEGEE presented petitions of the congregations of the Methodist Episcopal Church of Milford; the Methodist Episcopal Church of Easton; the Methodist Episcopal Church of Higganum; the Methodist Episcopal Church, the Second Congregational Church, the First Baptist Church, the Second Ad-vent Church, and the Woman's Christian Temperance Union of Waterbury; and of sundry citizens of Long Hill, all in the State of Connecticut, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and impor-tation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. PAGE presented a petition of sundry citizens of West-field, Vt., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. NORRIS presented a petition of sundry citizens of South Omaha, Nebr., praying for national recognition of the services of Dr. Frederick Cook in his polar explorations, which was referred to the Committee on the Library.

Mr. POINDEXTER presented a petition of sundry citizens of New York City, N. Y., praying for the enactment of legisla-tion looking to the recognition of Dr. Frederick A. Cook as the discoverer of the North Pole, which was referred to the Committee on the Library.

Mr. SMITH of Arizona presented petitions of San Xavier Division, No. 313, Order of Railway Conductors of America, of Tucson; of the Brotherhood of Locomotive Engineers, of Prescott; and of the Gila Valley Lodge, Brotherhood of Loco-motive Firemen and Enginemen, of Globe, all in the State of Arizona, praying for the enactment of the so-called Clayton antitrust bill, which were referred to the Committee on the Judiciary.

He also presented a telegram in the nature of a petition from sundry citizens of Tucson, Ariz., praying for national prohibition, which was referred to the Committee on the Judi-ciary.

He also presented a telegram in the nature of a memorial from the mayor and members of the common council, the chief of police, and the chief of the fire department, of Bisbee, Ariz., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for an appropriation for the con-struction of the San Carlos Dam, in Arizona, which was re-ferred to the Committee on Commerce.

He also presented a petition of the Warren District Trades Assembly, of Bisbee, Ariz., praying for the enactment of legisla-tion to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of the Warren District Trades Assembly, of Bisbee, Ariz., praying for the enactment of legisla-tion to prohibit the use of armed force in the settlement of labor disputes, which was referred to the Committee on Educa-tion and Labor.

Mr. BURLEIGH presented a petition of Mount Katahdin Lodge, No. 489, Brotherhood of Locomotive Firemen and Engin-

men, of Brownville Junction, Me., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of the Mount Katahdin Lodge, No. 489, Brotherhood of Locomotive Firemen and Enginemen, of Brownville Junction, Me., praying for the enactment of the so-called Clayton antitrust bill, which was referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of Bangor, Me., praying for the enactment of legislation to provide for publicity of prices to dealers and to the public, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Franklin County Board of Fire Underwriters, of Farmington, Me., praying for the enactment of legislation to prevent insurance companies from transacting business in districts in which they are not licensed, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Livermore, Winthrop, East Readfield, Ripley, Lewiston, Rumford Center, and New Harbor, all in the State of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. COLT presented petitions of the National American Woman Suffrage Associations of Woonsocket, Warren, and Providence, all in the State of Rhode Island, praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

He also presented petitions of 40 voters of Providence, 29 voters of Rockville, and of 9 voters of Cranston; of the Roger Williams Association of the Baptist Churches of the State of Rhode Island; of the Woman's Christian Temperance Union of Apponaug; of the Quarterly Conference of the Thames Methodist Episcopal Church, of Newport; of the congregations of the State Street Methodist Episcopal Church of Bristol; of the Trinity Union Methodist Episcopal Church of Providence; and of the Middletown Methodist Episcopal Church, of Newport, all in the State of Rhode Island, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. JOHNSON presented a petition of sundry citizens of Portland, Me., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Aroostook County, Penobscot County, Knox County, and Kennebec County; of the congregations of the Methodist Church of Norman; of the Methodist Episcopal Church of Eddington; of the Congregational Church of Brownfield; and of the Methodist Church of Livermore Falls; of the Young People's Society of the First Baptist Church of Rockland; of the Circuit Epworth League of Bangor; and of the Friends Society of Vassalboro, all in the State of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of the Central Labor Union of Millinocket, Me., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the Joint Legislative Bureau of Information, of Washington, D. C., representing 350,000 members of the train-service organizations of the country, praying for the enactment of the so-called Clayton antitrust bill, which was referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. SHEPPARD, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 5555) to amend an act entitled "An act to authorize the construction and maintenance of a dike on Olalla Slough, Lincoln County, Oreg.," approved June 25, 1910 (Rept. No. 649); and

A bill (S. 5977) to authorize Bryan and Albert Henry to construct a bridge across a slough which is a part of the Tennessee River, near Guntersville, Ala. (Rept. No. 650).

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (H. R. 17482) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 651) thereon.

Mr. STONE, from the Committee on Foreign Relations, to which was referred the joint resolution (H. J. Res. 255) authorizing the President to extend invitations to other nations

to send representatives to the International Dry-Farming Congress, to be held at Wichita, Kans., October 7 to 17, inclusive, 1914, reported it without amendment.

#### SABINE RIVER BRIDGE, LOUISIANA.

Mr. SHEPPARD. From the Committee on Commerce, I report back favorably without amendment the bill (S. 5557) to authorize the construction of a bridge across the Sabine River in the States of Louisiana and Texas, about 2 miles west of Hunter, La., and I submit a report (No. 647) thereon. I direct the attention of the Senator from Louisiana [Mr. RANDELL] to the report.

Mr. RANDELL. I ask unanimous consent for the immediate consideration of the bill.

Mr. SMOOT. What bill is it?

Mr. RANDELL. It is a bill to authorize the construction of a bridge across the Sabine River, the bill about which I spoke to the Senator from Utah.

The VICE PRESIDENT. The Secretary will read the bill.

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

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

#### INCOME TAX ON RAILROADS IN ALASKA.

Mr. SIMMONS. From the Committee on Finance I report back favorably without amendment the bill (H. R. 9770) to levy and collect an income tax on railroads in Alaska, and for other purposes, and I submit a report (No. 648) thereon.

Mr. JONES. Mr. President, this bill is one of very great importance to the people of Alaska. It embodies practically provisions that were put in the tariff bill and that went out in conference, except that a tax of 1 per cent is placed upon the gross earnings instead of on the net earnings as was provided in the provision referred to. All the railroads there are absolutely idle and can not run, largely because of the \$100 a mile tax and the penalties imposed for failure to pay. If this bill should pass, some 200 miles will, without a doubt, start running. The passage of this bill means much for the development and progress of Alaska, and I ask unanimous consent on behalf of Alaska and its people for the present consideration of the bill. It is a short bill—not a long one.

Mr. MARTIN of Virginia. Is it likely to provoke a debate?

Mr. JONES. If it does, I will withdraw it.

Mr. MARTIN of Virginia. If it provokes no debate, I will not object.

Mr. JONES. It has passed the House.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes that in addition to the normal income tax of 1 per cent on net income there shall be levied and collected 1 per cent on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which shall be computed and collected in the manner provided in the act of Congress, approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," the proceeds of which tax when collected shall be paid to the treasurer of Alaska and be applicable to general Territorial purposes. So much of the provisions of the act of Congress approved March 3, 1899, entitled "An act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District," or acts amendatory thereof as impose a license tax of \$100 per mile per annum on railroads operated in Alaska is hereby repealed, and all penalties for nonpayment thereof are hereby remitted.

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

#### BILLS INTRODUCED.

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

By Mr. HUGHES:

A bill (S. 6048) for the relief of the Stevens Institute of Technology, of Hoboken, N. J.; to the Committee on Claims.

By Mr. KENYON:

A bill (S. 6049) granting an increase of pension to Calvin Barker; and

A bill (S. 6050) granting an increase of pension to Daniel A. Day; to the Committee on Pensions.

By Mr. KENYON (for Mr. LA FOLLETTE):

A bill (S. 6051) to establish ports of entry at Superior, Wis., and Duluth, Minn., in the customs-collection district of Duluth and Superior; to the Committee on Commerce.

A bill (S. 6052) for the relief of Antoinette Du Devoire; to the Committee on Claims.

A bill (S. 6053) granting an increase of pension to John C. McNaught;

A bill (S. 6054) granting an increase of pension to Henry F. Clement;

A bill (S. 6055) granting an increase of pension to Gustav Schoneck; and

A bill (S. 6056) granting an increase of pension to James L. Ackley; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 6057) granting an increase of pension to Edwin Bates; and

A bill (S. 6058) granting a pension to J. H. Short (with accompanying papers); to the Committee on Pensions.

By Mr. SWANSON:

A bill (S. 6059) to provide for the erection, furnishing, and equipping of a building in the city of Washington, D. C., for the Department of Justice; to the Committee on Public Buildings and Grounds.

By Mr. SHIVELY:

A bill (S. 6060) granting a pension to David B. Spence; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 6061) for the relief of Robert W. Thompson; to the Committee on Military Affairs.

By Mr. JOHNSON:

A bill (S. 6062) granting an increase of pension to Johnson G. Trask (with accompanying papers);

A bill (S. 6063) granting an increase of pension to David L. Cross (with accompanying papers); and

A bill (S. 6064) granting a pension to Elander R. Grant; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 6065) granting a pension to John G. Berry; to the Committee on Pensions.

#### AMENDMENTS TO ANTITRUST LAW.

Mr. NEWLANDS submitted two amendments intended to be proposed by him to the bill (H. R. 15657) to supplement existing laws against unlawful restraints and monopolies, and for other purposes, which were referred to the Committee on the Judiciary and ordered to be printed.

#### SOILS OF THE UNITED STATES.

Mr. POINDEXTER submitted the following concurrent resolution (S. Con. Res. 26), which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 5,000 additional copies of Bulletin No. 96, Bureau of Soils, on the "Soils of the United States," of which 2,000 copies shall be for the use of the Senate document room and 3,000 copies for the use of the House document room.

#### WITHDRAWAL OF PAPERS—ABBIE AVERY.

On motion of Mr. HOLLIS, it was

*Ordered,* That the papers accompanying the bill S. 5691, Sixty-third Congress, granting a pension to Abbie Avery, be withdrawn from the files of the Senate, no adverse report having been made thereon.

#### HOUSE BILLS REFERRED.

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

H. R. 3586. An act for the relief of Francis Tomlinson;

H. R. 13470. An act for the relief of James Grady;

H. R. 12229. An act for the relief of William A. Wallace;

H. R. 13123. An act for the relief of Charles H. Rayfield, alias Charles H. Czarnowsky;

H. R. 15414. An act for the relief of David Mowen; and

H. R. 16713. An act for the relief of Samson Davis.

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

H. R. 1062. An act granting a patent to Joseph Robicheau;

H. R. 1516. An act for the relief of Thomas F. Howell;

H. R. 1528. An act for the relief of T. A. Roseberry;

H. R. 1698. An act to amend an act entitled "An act to provide for an enlarged homestead" and acts amendatory thereof and supplemental thereto;

H. R. 2703. An act for the relief of Drenzy A. Jones and John G. Hopper, joint contractors, for surveying Yosemite Park boundary;

H. R. 4206. An act granting patent to certain lands to the legal heirs of W. F. Nichols;

H. R. 10765. An act granting a patent to George M. Van Leuven for the northeast quarter of section 18, township 17 north, range 19 east, Black Hills meridian, South Dakota;

H. R. 16205. An act for the relief of Davis Smith;

H. R. 16431. An act to validate the homestead entry of William H. Miller; and

H. R. 17045. An act for the relief of William L. Wallis.

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

H. R. 2978. An act for the relief of the estate of Thomas F. Swafford, deceased, late of the State of Louisiana, for carrying United States mail on route No. 8263, in the State of Louisiana, during the period from January 1, 1831, to May 31, 1831;

H. R. 3430. An act for the relief of Lottie Rapp;

H. R. 4001. An act for the relief of Daniel J. Ryan;

H. R. 4628. An act for the relief of N. Ferro;

H. R. 7078. An act for the relief of Mary Macon Howard;

H. R. 9701. An act for the relief of F. W. Theodore Schroeter;

H. R. 10460. An act for the relief of Mary Cornick;

H. R. 12484. An act to pay the Cleveland Press, of Cleveland, Ohio, \$200 for a horse shot because of injuries sustained on a defective platform scale in the post office at Cleveland, Ohio;

H. R. 13108. An act for the relief of George H. Hammond;

H. R. 13167. An act for the relief of the legal representatives of the estate of Robert B. Pearce;

H. R. 13965. An act to refund to the Sparrow Gravelly Tobacco Co. the sum of \$176.99, the same having been erroneously paid by them to the Government of the United States;

H. R. 14679. An act for the relief of Clarence L. George;

H. R. 14931. An act for the relief of Arthur Brose;

H. R. 15557. An act for the relief of Anna Miller;

H. R. 16163. An act for the relief of Theodore Bagge; and

H. R. 16795. An act to reimburse the owners of the schooner *Thomas W. H. White*.

H. R. 4952. An act to refund to John B. Keating customs tax erroneously and illegally collected at Portland, Me., on cargo of coal March 11, 1903, was read twice by its title and referred to the Committee on Finance.

#### TREATIES WITH NICARAGUA AND COLOMBIA.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Secretary read Senate resolution 411, submitted on the 6th instant by Mr. BORAH, as follows:

*Resolved,* That the seal of secrecy is hereby removed from all of the hearings heretofore had which have been printed, except such testimony as may have been received under a pledge of confidence, and that hereafter all hearings be given to the public as soon as the same are corrected by the parties and printed, touching the proposed treaties with Nicaragua and Colombia, and that the consideration of both the treaties with Nicaragua and Colombia be in the open session of the Senate.

Mr. BORAH. Mr. President, it is the desire of the chairman of the Committee on Foreign Relations that the resolution shall go over for a day without prejudice, and I therefore make that request.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution will go over without prejudice.

Mr. WILLIAMS. The request is simply that the resolution shall go over without prejudice.

The VICE PRESIDENT. It is.

#### SUNDRY CIVIL APPROPRIATIONS.

The VICE PRESIDENT. The morning business is closed.

Mr. MARTIN of Virginia. I ask that the Senate proceed to the consideration of House bill 17041, the sundry civil appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 17041) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes.

Mr. VARDAMAN. Mr. President, I wish to call up the motion made by me last evening to reconsider the vote by which the appropriation was made for the Panama-Pacific International Exposition.

It seems to me that the Senate of the United States has well nigh lost its head on the question of appropriations. Every idea of economy has been thrown to the winds and the source of the Government's revenue has been forgotten. The Democratic Party came into power pledged to economy and retrenchment in public expenditures. Notwithstanding that pledge to the people I am advised that the prospects are that this is going to be the most expensive Congress in the history of the Nation. The American people are long-suffering and patient, slow to anger, and full of love and the spirit of forgiveness, but forbearance ceases to be a virtue after a while and they will not always tolerate such perfidious betrayal of promises.

When the exposition was carried to San Francisco it was distinctly understood that the Government of the United States would not be called upon to make any contribution to it. The

advocates of this measure, however, maintain that this is not an appropriation to the Panama Exposition at San Francisco, but simply an appropriation to construct a building to house the exhibits of the National Government, and the house is to be used after the exposition for military purposes. We all know that that is a mere subterfuge. A building suited to the purposes to which it will be devoted during the exposition will not be useful as barracks or as an arsenal. If the United States Government is to have an exhibit there, under the original agreement by which the exposition was carried to San Francisco it becomes the duty of the city of San Francisco to provide that building.

Mr. President, I wish it distinctly understood that I have no sort of feeling in this matter because the exposition did not go to New Orleans. That was a matter in which I had very little interest then or have now.

Not only do I object to appropriating \$500,000 to build a house, but I object more strenuously to the \$50,000 of the \$500,000 which is to be used for entertaining purposes. Commissioners are to be appointed, clerks hired, and this vast sum of money is to be expended to entertain the representatives of other Governments who may come there by the invitation of the President of the United States. A fat job without work; a good time and plenty of fun while the dollars coined of the sweat and blood of the long-suffering, silent, toiling masses go to pay the bills.

Some people may think that necessary, and, it may be, to make the exposition a success in the sense that some people think it is necessary to make it a success, but there are more material things, there are things of more moment, of more importance, which are needed in this country. Here, on yesterday, the question was raised and opposition was made to a meritorious measure designed to ameliorate the condition and relieve the sufferings of the tolling millions of this country; to bring about a better understanding between capital and labor; to save the children of the poor from the crushing, cruel consequences of indigence and want. The Government was too poor to spend the \$200,000 for that purpose. The Government was too poor to spend \$500,000 or \$1,000,000 in order to exterminate diseases among live stock, as cholera among the hogs of Iowa, which take heavily from the product of those upon whose tired backs the whole burden of commerce and Government rests. The Government was too poor to spend money to eradicate the boll weevil and other pests that destroy the farmers' crops, and yet it is amply able to spend \$50,000 for entertaining and \$450,000 for a house at the San Francisco Exposition.

Mr. President, I think the world has gone mad on this question of society. The social moth burns its gilded wings in the flame which is fed by the substance of the poor man's toil, while the children of the wealth producer are denied the necessities of life. I wish we could go back to that dignified, glorious simplicity which characterized the official life of Thomas Jefferson. I wish we could get away "from the degrading social wants that sin against the strength of youth and the social lies that warp us from the living truth" and come back to the old democratic way of doing things.

I regret to oppose this appropriation because of the interest which my good friend the distinguished and amiable Senator from California [Mr. PERKINS] has in it, but, Mr. President, I can not be true to the people whom I represent here and permit this needless expenditure, this prodigality of public funds, to be made without making an earnest protest against it.

The Chair on yesterday ruled against my point of order. I am going to ask the Chair to review its ruling. I am going to ask the Chair to consider what this amendment is. The rules of the Senate provide that—

No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill or to add a new item of appropriation—

That is what this is. It is a senatorial item—unless it be made to carry out the provisions of some existing law—

There is no provision of law authorizing the formation of this social court which is to be maintained at San Francisco during the exposition at public expense—

or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments.

2. All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations.

This has not been done.

The VICE PRESIDENT. Does the Senator from Mississippi dispute the fact that this amendment comes from the Appropriations Committee itself?

Mr. VARDAMAN. That is true, Mr. President, but it had not been introduced and referred to that committee, as the rules prescribe, at least one day in advance; but if the Chair should differ from me as to that, I will suggest that this is an appropriation made for the maintenance of an office which this bill creates, and not an office that has been created by law heretofore.

The VICE PRESIDENT. What office is that?

Mr. VARDAMAN. I will read the provision to the Chair. It is as follows:

*Provided further*, That the said building shall be erected under the authority of the Secretary of War, by contract or otherwise, as he may direct: *Provided further*, That not exceeding \$50,000, or so much thereof as may be necessary, may be expended from the appropriation made herein, on the approval and authority of the Secretary of War, for entertaining the officers and representatives of foreign Governments who may attend and participate in the Panama-Pacific International Exposition in consequence of the invitation of the President of the United States, extended in pursuance of the authority of Congress.

Is not that creating an office?

The VICE PRESIDENT. What office does it create?

Mr. VARDAMAN. The office of general entertainer. [Laughter.]

The VICE PRESIDENT. It is not "so nominated in the bond."

Mr. VARDAMAN. That is the meaning of it; that is the language of the law; that is the wording of the bond, Mr. President.

The VICE PRESIDENT. The Chair looks upon it as a limitation upon the expenditure of the appropriation—

Mr. VARDAMAN. It is not a limitation; it is a direction. It is also the creation of a new office or function.

The VICE PRESIDENT. And the authority has already been granted by Congress to the President of the United States to extend invitations. The Chair expresses no view upon the advisability or propriety of making the appropriation, but the plain reading of the paragraph is that at some time in the past the President was authorized to invite as the guests of the Government of the United States certain representatives of foreign powers; and the Chair believes that this is only a limitation on the expenditure of the money, and that it is not creating an office.

Mr. VARDAMAN. Well, Mr. President, I shall submit to the ruling of the Chair, but I sincerely hope that the Senate may refuse to adopt this amendment. At the proper time I shall call for the yeas and nays on it.

Mr. WARREN. Mr. President, just a word regarding the matter. Of course there is no doubt of the accuracy of the decision of the Chair. The amendment can not be attacked on a point of order.

This expenditure, fortunately, is one that can be made without loss or any appreciable loss to the Government, because the brigade post at the Presidio in San Francisco, Cal., only has suitable buildings for little more than one regiment of men where there are over three regiments to be quartered. We are also greatly in need of room for Army officers and Army headquarters, for which we are now paying large rentals. Plans for building proper quarters for troops, similar, perhaps, to plans that are being executed in Honolulu, are of such a nature that the building will require but little alteration—simply the construction of some partitions, and so forth, to adapt it entirely to convenient and economical military use after it has served its purpose to house the Government exhibits during the exposition.

I take no stock in the averment that the agreement was that the Government should not expend any money or take any part in the Panama exhibition. The Government is not contributing money to the exhibition, as it has done to many a fair or exhibition heretofore. It does not intend to do so. It has already provided by suitable appropriations to exhibit its own property and its products from different territories and sections of the country. They must be housed. The United States is doing as the States are doing and as other countries are doing—it is providing for the housing of its own exhibits.

As to the matter of entertainment, I hardly think the Senator from Mississippi [Mr. VARDAMAN] seriously objects to that. I did not hear him objecting when in the naval appropriation bill there was over \$104,000 appropriated directly for the use of the Secretary of the Navy to entertain visitors. The Secretary of War has a great deal wider scope, in my opinion, for expending money for entertainment, because he has the Panama Canal, the Philippines, and all of our other foreign possessions to look after. We have provided only \$50,000, or so much thereof as may be necessary, and have restricted the appropriation so that it can only be expended for the entertainment of those who are invited by the President or in pursuance of his invitation.

The President of the United States has seen the necessity of this appropriation. He certainly is the great and leading spirit of the Democratic Party; he has been one of the leaders in this acclaim for economy and of accusation of extravagance which perhaps was properly made against the Republicans. He has asked for this appropriation, and the Secretary of War, who will have charge of its expenditure, has asked for it; and so has the honorable Secretary of State earnestly requested it. The proposition came in here in the natural way; it came to the committee in the proper way; and the committee brought it in here and submitted the amendment. It was laid over a day for everyone to study and for everyone to criticize.

I trust that the amendment will not be reconsidered and that it may be adopted as a part of this bill.

Mr. LANE. Mr. President, I wish to say for the information of the Senator from Mississippi [Mr. VARDAMAN] that the Government really needs this building, and if it will construct a building capable of housing the troops it will be no loss. It is supposed to be erected at a point that is of importance; it is an important fort, where the Government will have to keep troops as long as the Government exists. The troops there are not now properly housed. I have been through the Presidio, and if the money is expended economically and a suitable building is erected for the housing of the troops it will be in no way a loss.

Mr. VARDAMAN. Will the Senator from Oregon yield to me?

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. LANE. I yield.

Mr. VARDAMAN. Does the Senator from Oregon have the idea that the construction of this building is going to be with a view of making it a home for the troops?

Mr. LANE. I do.

Mr. VARDAMAN. Does not the Senator know that the building is going to be constructed in a very different form and after a very different architectural design from that in which it would be if originally constructed for the home of troops?

Mr. LANE. Mr. President, I will answer that question by saying that I think the Government will thereby improve on the present type of building in which we house our troops, and I hope that we shall have sense enough to do so. This building is needed. It can be made artistic and at the same time useful without any extravagant expenditure of money. I trust in its construction the Government will make a change from the old type of building, which is an eyesore. Such buildings can be improved, made to blend into the surroundings, and add beauty to that beautiful spot in San Francisco Bay near the Golden Gate. I hope the Government will do that, so long as the money is not wasted.

Mr. WORKS. Mr. President, I am sorry that the Senator from Mississippi is endeavoring to reopen this question. I think this appropriation is one that it is eminently proper the Government should make. The State of California and the city of San Francisco are not asking any appropriation to aid them to carry on this enterprise. They are living up strictly to the condition that is supposed to have been imposed when the act was passed which enabled San Francisco to hold this great exposition. The Government of the United States has invited foreign nations to participate in the exposition. Their representatives are coming here as our guests, and it would be a singular thing if we should invite foreign nations to exhibit at the exposition and then not do so ourselves as a nation.

The State of California has contributed millions of dollars as a State organization toward the carrying on of this exposition; the different counties in the State have contributed and will make separate exhibits there; various foreign nations have signified their intention to make exhibits at the exposition. We passed an act here that came through the Committee on Industrial Expositions providing for a commission to take care of these guests of ours when they come to this country. I remember that when that bill was under consideration before the Committee on Industrial Expositions the senior Senator from New York [Mr. ROOR], who had had experience in dealing with such questions, insisted that we should have somebody on the ground representing the Government of the United States to take care of the foreign guests; and he instanced certain cases where they had not been properly taken care of—one instance in particular, where, as the Senator stated, the manner in which the exposition was carried on respecting the care that should have been taken and the attention which should have been given to foreign representatives had amounted to almost a national scandal. It was largely through his influence and representations that this commission was provided for. Certainly, if the commission is to act in that respect, the Government

should provide the necessary funds to enable it to do so in a proper way. That is one of the items covered by this proposed appropriation.

With respect to the building that is to be constructed, I do not think it is very important whether the building is to be used subsequently by the Government or not. Under the circumstances the Government ought to provide the building; but, as a matter of fact, the building is to be constructed upon Government land. The Presidio at San Francisco, the Government military reservation, is practically in the city of San Francisco, and a part of the grounds owned by the Government are devoted to the exposition.

I do not know whether or not Senators are aware of the fact, but the Government is paying for rent of buildings in San Francisco something like \$30,000 a year. I introduced a bill here nearly two years ago providing for the construction of a building for the use of the Army officers and providing for their offices in San Francisco. In one single building in San Francisco the Government is paying \$20,000 a year for the offices of Army officers. The appropriation contemplated by the bill introduced by me, for some reason—I do not know why—was not made, although it was recommended by the War Department. There is an opportunity here to comply with what, I think, is an obligation on the part of the Government to provide this building for exposition purposes and at the same time provide the building that I had in contemplation. The building may be used not only for the Army, as has been suggested by the Senator from Wyoming [Mr. WARREN], but offices for the Army officers can be provided in that building, and should be provided, and thereby we will save an immense amount of money in the way of rent.

I think, Mr. President, there is no just ground for the objection to this appropriation made by the Senator from Mississippi, and I hope that the vote by which the amendment was agreed to will not be reconsidered.

Mr. BRANDEGEE. Mr. President, I should like to ask the Senator from California if he can state approximately how much has been raised or pledged by the different governmental subdivisions of California and the State itself and its citizens in aid of this exposition?

Mr. WORKS. Well, I think it will run somewhere near \$30,000,000.

Mr. BRANDEGEE. That the people of the State, in one way or another, have raised?

Mr. WORKS. That the people of the State of California have contributed.

Mr. BRANDEGEE. Have they had any help from outside the State?

Mr. WORKS. None, except in the simple way of making exhibits, but nothing to the exposition itself.

Mr. BRANDEGEE. And nothing whatever from the United States Government?

Mr. WORKS. Nothing whatever.

Mr. BURTON. Mr. President, there is one further question which I should like to ask the Senator from California. Is this proposed building so located that it can be utilized by the United States Government for the headquarters of the Army in that section, and for the other purposes for which the United States desires a building?

Mr. WORKS. Certainly it is, Mr. President; it is on the Government military reservation, and just where the headquarters and offices of Army officers ought to be.

Mr. TOWNSEND. Mr. President, I sincerely hope that this provision as it has been adopted will not be changed. I am in hearty accord with many things which the Senator from Mississippi [Mr. VARDAMAN] has said, and with many things which he believes; but I have seen the situation in California, and I think I can say very truthfully that the Panama-Pacific Exposition is to be the most wonderful undertaking of its kind ever known in this country. I have never seen such enterprise as is being manifested in this project at San Francisco.

The Government has entered upon this business. At the beginning was the time to discuss the question as to whether or not we should make an exhibit there; but having authorized the exposition, having invited foreign nations there, and having invited each of the States to take part, it seems to me that it would be far beneath the dignity of our country if it failed to provide for an exhibit, and if it failed to furnish such entertainment as becomes the United States. I am positive that if Senators had investigated the whole situation, if they knew the magnitude and importance of this exposition, they would not hesitate now in making a success of what has been undertaken. Our national dignity and honor are involved, and the Senate should not hesitate to maintain them. So I sincerely trust that this amendment will not be reconsidered.

Mr. MARTINE of New Jersey. Mr. President, I shall have to differ from my friend from Mississippi on his question, though I am in accord with him generally. Heaven knows, his promptings of the desire of economy can not surpass my desire for economy. I have been brought up in a most frugal way all my life and believe in the wisdom of reasonable frugality.

The Senator says that we refused to appropriate sufficient money for the hog cholera and sundry other objects. Well, that is no reason why we should not appropriate money for other good things that may come along. Two wrongs do not make a right. I think we should have appropriated probably more money to exterminate hog cholera, the cotton-boll weevil, and to straighten the Mississippi, and a lot of other things; but I do not believe the people of the United States, these hundred millions of enterprising freemen, will hold us up to ridicule and jest or will censure us for making a reasonable and proper appropriation to entertain those who may come to see the wonders of this glorious land of ours.

We have taken steps recognizing this exposition, and, as has been stated by the Senator from Michigan [Mr. TOWNSEND], it bids fair to rival anything of the kind the world has ever seen. We have invited foreign people here. Now, I say, do not let us be shabby about it; let us treat them nicely and decently, and not niggardly. I would not want a better gauge of liberal hospitality than the gauge of the Senator from Mississippi. I know if he should invite the people of the States of this Union down to his Mississippi home they would be treated roundly, liberally, and most hospitably. I believe the people of the United States sympathize with that thought and with that idea.

Ah, Mr. President, our friends say they want to get back to the days of Jeffersonian simplicity. Why, it seems to me, if I can remember the things I have read, and the glories of Monticello that I have seen around there, that Jefferson was the most liberal entertainer of that time. Somebody has said that he bankrupted himself by entertaining; but whether that be so or not I do not know. He was, however, a liberal entertainer.

Mr. VARDAMAN. He was a liberal entertainer in the disposition of his own money, but he was a servant of the people and he bodied forth in his official life that sublime idea. That is what I should like to see the American people imitate to-day and return to that long discarded honorable custom.

Mr. MARTINE of New Jersey. I realize the fact that we are some days beyond the day in which he entertained in the simplicity to which the Senator makes reference. I think the Father of his Country, as we choose to call him, George Washington, in his Mount Vernon home, was a very liberal entertainer.

Whether they were or not, however, the fact is that we have invited the world here. The State of California has expended, so it is said, something like \$30,000,000 for the purpose of making this fair the grandest and greatest the world has seen. I am a believer in expositions. I am a believer in fairs, from the county fair on to the State fair, and so on up to the fair of the Nation. I believe that it will bring direct profit to us, that it will open the eyes of myriads of people, that many people will come in contact with each other and give each other better thoughts and better ideas, and the result will be a great step in advance in the glory and welfare and well-being of this Nation of ours.

The VICE PRESIDENT. The question is on the motion to reconsider the vote by which the amendment was agreed to.

Mr. VARDAMAN. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WARREN. Mr. President, I think some of the Senators who have just come in do not understand the way the question comes up. I should be glad if the Chair would announce it.

The VICE PRESIDENT. The question is on the motion to reconsider the vote whereby the amendment, commencing in line 20 of page 161 and ending at line 20 of page 162, was adopted on yesterday.

The Secretary proceeded to call the roll.

Mr. CATRON (when his name was called). I have a general pair with the senior Senator from Oklahoma [Mr. OWEN]. I transfer that pair to the senior Senator from Illinois [Mr. SHERMAN] and will vote. I vote "nay."

Mr. CLARKE of Arkansas (when his name was called). I have a pair with the junior Senator from Utah [Mr. SUTHERLAND]. As he is not present, I withhold my vote.

Mr. CRAWFORD (when his name was called). I have a pair with the senior Senator from Tennessee [Mr. LEA]. As he is not present, I withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN], who is absent. If privileged to vote, I should vote "nay."

Mr. HOLLIS (when his name was called). I have a general pair with the junior Senator from Maine [Mr. BURLEIGH], who is unavoidably absent from the Senate, and I therefore withhold my vote.

Mr. JOHNSON (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. GRONNA]. I transfer that pair to the senior Senator from Louisiana [Mr. THORNTON] and will vote. I vote "nay."

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLE] to the senior Senator from Alabama [Mr. BANKHEAD] and will vote. I vote "nay."

Mr. SMITH of Georgia (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer that pair for the day to the junior Senator from Georgia [Mr. WEST] and will vote. I vote "nay."

Mr. STONE (when his name was called). I have a standing pair with the senior Senator from Wyoming [Mr. CLARK]. I am informed by his colleague that, if present, he would vote "nay."

Mr. WARREN. The Senator would do so, as he has expressed himself directly to the effect that he wished to vote for this amendment.

Mr. STONE. That being the case, I feel at liberty to vote. I vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT]. In his absence I withhold my vote.

Mr. TOWNSEND (when his name was called). I have a pair with the junior Senator from Arkansas [Mr. ROBINSON], but I have been informed that if he were present he would vote the same as I will. Therefore I vote "nay."

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the junior Senator from Indiana [Mr. KERN] and will vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the junior Senator from South Carolina [Mr. SMITH] and will vote. I vote "nay."

The roll call was concluded.

Mr. GALLINGER. I transfer my pair with the junior Senator from New York [Mr. O'GORMAN] to the senior Senator from North Dakota [Mr. McCUMBER] and will vote. I vote "nay."

Mr. DILLINGHAM (after having voted in the negative). I notice that the senior Senator from Maryland [Mr. SMITH] is not present. I have a general pair with him, but I am informed that if present he would vote "nay," so I will allow my vote to stand.

Mr. BRYAN. I desire to announce that my colleague [Mr. FLETCHER] is detained from the Senate on public business, and is paired with the junior Senator from Wyoming [Mr. WARREN].

Mr. SAULSBURY. I am requested to announce that the senior Senator from West Virginia [Mr. CHILTON] is absent from the Senate on official business, and is paired with the senior Senator from New Mexico [Mr. FALL].

Mr. OLIVER. My colleague [Mr. PENROSE] is necessarily absent. If he were present he would vote "nay" on this matter.

Mr. CATRON. My colleague [Mr. FALL] is also necessarily absent. If he were present he would vote "nay."

Mr. KENYON. I desire to announce the unavoidable absence of the senior Senator from Wisconsin [Mr. LA FOLLETTE] on account of illness. This announcement may stand for the day.

Mr. GALLINGER. I have been requested to announce the following pairs:

The junior Senator from West Virginia [Mr. GOFF] with the senior Senator from South Carolina [Mr. TILLMAN].

The junior Senator from Wisconsin [Mr. STEPHENSON] with the junior Senator from Oklahoma [Mr. GORE].

The senior Senator from Delaware [Mr. DU PONT] with the senior Senator from Texas [Mr. CULBERSON].

This announcement may stand for the day.

Mr. TOWNSEND. The junior Senator from Arkansas [Mr. ROBINSON] is detained from the Senate on account of illness. This announcement may stand for the day.

Mr. JAMES. I transfer my pair with the junior Senator from Massachusetts [Mr. WEEKS] to the junior Senator from Illinois [Mr. LEWIS] and will vote. I vote "yea."

The result was announced—yeas 7, nays 51, as follows:

YEAS—7.

Clapp	James	Reed	Vardaman
Hitchcock	Kenyon	Sheppard	

NAYS—51.

Ashurst	Johnson	Page	Smoot
Brady	Jones	Perkins	Sterling
Brandeggee	Lane	Pittman	Stone
Bristow	Lee, Md.	Poindexter	Sutherland
Bryan	McLean	Pomerene	Swanson
Burton	Martin, Va.	Ransdell	Thompson
Camden	Martine, N. J.	Saulsbury	Townsend
Catron	Myers	Shafroth	Walsh
Chamberlain	Nelson	Shively	Warren
Cummins	Newlands	Simmons	White
Dillingham	Norris	Smith, Ariz.	Williams
Gallinger	Oliver	Smith, Ga.	Works
Hughes	Overman	Smith, Mich.	

NOT VOTING—38.

Bankhead	Fall	Lippitt	Smith, Md.
Borah	Fletcher	Lodge	Smith, S. C.
Burleigh	Goff	McCumber	Stephenson
Chilton	Gore	O'Gorman	Thomas
Clark, Wyo.	Gronna	Owen	Thornton
Clarke, Ark.	Hollis	Penrose	Tillman
Colt	Kern	Robinson	Weeks
Crawford	La Follette	Root	West
Culberson	Lea, Tenn.	Sherman	
du Pont	Lewis	Shields	

So the motion to reconsider was rejected.  
 Mr. PERKINS. Mr. President, I send to the desk a letter from the Secretary of War, which I ask to have published in the Record without reading.

The VICE PRESIDENT. Without objection, that action will be taken.

The matter referred to is as follows:

WAR DEPARTMENT,  
 Washington, June 20, 1914.

Hon. THOMAS S. MARTIN,  
 Chairman Committee on Appropriations, United States Senate.

MY DEAR SENATOR: I have your reference of June 16 to the amendment intended to be proposed by Senator PERKINS to the bill (H. R. 17041) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1915. You ask that you be furnished with any information relative to this measure in the possession of this department and an opinion as to its merits.

I favor the passage of this bill.  
 At the present time we are sheltering troops which it is necessary for us to keep at the Presidio in old frame buildings, many of which were built for the soldiers returning from the Philippines many years ago. The existing buildings just mentioned are of plain boards, hastily constructed, and never intended for other than temporary use. There is urgent need for barrack capacity, and if this bill is passed it will serve a doubly useful purpose—it will furnish a dignified and proper shelter for the exhibits to be made by the United States Government at the exposition and be permanently useful for the Army thereafter.

Sincerely, yours,

LINDLEY M. GARRISON,  
 Secretary of War.

(Incl.: Proposed amendment.)

Statement of appropriations made for expositions.

Atlanta:			
Act Aug. 18, 1894	\$150,000.00		
Do	50,000.00		
			\$200,000.00
Barcelona:			
Joint resolution Apr. 11, 1888	25,000.00		
Act Mar. 2, 1895	3,380.96		
			28,380.96
Bergen, joint resolution Feb. 17, 1898 (similar resolution of Jan. 25, 1898, repealed by deficiency act of July 7, 1898)	20,000.00		
Berlin, joint resolution Feb. 16, 1880	20,000.00		
Bordeaux, France, act Mar. 4, 1907 (deficiency), International Maritime Exposition	15,000.00		
Brussels:			
Joint resolution May 11, 1888	\$30,000.00		
Act June 11, 1896	5,000.00		
			35,000.00
Buffalo:			
Act Mar. 3, 1899	500,000.00		
Act Mar. 11, 1902	15,000.00		
Act July 1, 1902	500,000.00		
			1,015,000.00
Buenos Aires and Santiago, Chile, act Feb. 25, 1910 (deficiency). International Exhibition at Buenos Aires and Santiago, Chile	75,000.00		
Charleston:			
Joint resolution Jan. 21, 1912	\$90,000.00		
Act July 1, 1902	160,000.00		
			250,000.00
Chicago:			
Act Apr. 25, 1890—			
Admission of foreign goods	20,000.00		
Government building	100,000.00		
General expenses	200,000.00		
Act Mar. 3, 1891—			
Board of lady managers	36,000.00		
Government building	300,000.00		
Government exhibit	350,000.00		
World's Columbian Commission	59,500.00		
World's Congress	2,500.00		
Admission of foreign goods	20,000.00		
Act July 13, 1892, branch post offices, extra service	63,000.00		
Act July 19, 1892, naval rendezvous and construction of caravels	50,000.00		
Act Aug. 5, 1892 (sundry civil)—			
Government exhibit	408,250.00		
World's Columbian Commission	120,000.00		
Board of lady managers	110,000.00		

Chicago—Continued.

Act Aug. 5, 1892 (public act)—			
Transport of steamer "Blake" to Chicago	\$6,000.00		
Columbian half dollars	2,500,000.00		
Loss on recolnage of same	50,000.00		
Bronze medals	60,000.00		
Diplomas	43,000.00		
Act Mar. 3, 1893 (sundry civil)—			
Government exhibit	150,750.00		
Naval battleship "Illinois"	10,000.00		
World's Columbian Commission	118,185.00		
Board of lady managers	93,100.00		
Awards, etc.	470,880.00		
Awards, board of lady managers	100,000.00		
Act Mar. 3, 1893, naval review, New York Harbor	300,000.00		
Act Mar. 3, 1893 (Indian act), Indian exhibit	25,000.00		
Act Aug. 18, 1894—			
Appreciation of foreign exhibits	2,500.00		
Synopsis of departmental reports	3,500.00		
Act. Feb. 26, 1896—			
Medals and diplomas	20,600.00		
Rental of building for awards	860.00		
Compensation of Director General George R. Davis	18,006.10		
Reimbursement of president of Columbian Commission, T. W. Palmer	1,998.35		
Joint resolution Mar. 13, 1896, distribution of medals and diplomas	15,000.00		
Act June 8, 1896—			
Expenses board of control	247.00		
Claims against World's Columbian Commission	6,517.67		
Indian exhibit	27.07		
Act June 8, 1896, awards division, printers' leaves of absence	3,500.00		
Act July 19, 1897—			
Rental for division of awards	720.00		
Synopsis of departmental reports	98.45		
N. E. Dawson, services to World's Columbian Commission	500.00		
			\$5,840,329.64
Chicago and New York, joint resolution Apr. 29, 1914, Forest Products Expositions			10,000.00
Cincinnati:			
1885, act July 7, 1884	\$10,000.00		
1888, act May 28, 1888	147,750.00		
			157,750.00
Jamestown, Va.:			
Act Mar. 3, 1905 (Public), Tercentennial Exposition	250,000.00		
Act June 30, 1906 (sundry civil)—			
Government exhibit	200,000.00		
Buildings	350,000.00		
Aid to Jamestown Exposition	250,000.00		
Policing comfort stations, etc.	10,000.00		
Aid to Negro Development & Exposition Co.	100,000.00		
Piers, Hampton Roads	400,000.00		
Permanent landing pier, Jamestown Island	15,000.00		
Act Feb. 9, 1907—			
Aid to Jamestown Exposition, reimbursable	1,000,000.00		
Piers, Hampton Roads	65,000.00		
Act Mar. 4, 1907 (deficiency)—			
Expenses of United States and foreign troops, Jamestown Exposition	10,000.00		
Expenses of Senate and House committees, opening of Jamestown Exposition	7,000.00		
			2,657,000.00
Liege, Belgium, act Apr. 28, 1904			3,000.00
London:			
1862—			
Act Mar. 3, 1855	\$26,000.00		
Act July 27, 1861	2,000.00		
			28,000.00
1883—			
Joint resolution July 18, 1882	50,000.00		
Act Mar. 3, 1883	10,000.00		
Act July 7, 1884	10,000.00		
			70,000.00
Louisville, act July 7, 1884			10,000.00
Madrid:			
Act May 13, 1892	\$15,000.00		
Act Aug. 5, 1892	10,000.00		
			25,000.00
Melbourne, act Feb. 1, 1888			50,000.00
Nashville, act Dec. 22, 1896			130,000.00
New Orleans:			
Act May 21, 1884	\$1,000,000.00		
Act July 7, 1884	300,000.00		
Act Mar. 3, 1885	350,000.00		
			1,650,000.00
Omaha:			
Act June 4, 1897	200,000.00		
Act July 1, 1898	40,000.00		
			240,000.00
Paris:			
1867—			
Joint resolution July 5, 1866	156,403.00		
Joint resolution Mar. 12, 1867	50,000.00		
			206,403.00
1878—			
Joint resolution Dec. 15, 1877	150,000.00		
Act June 20, 1878	40,000.00		
			190,000.00





because the impurities which are now flowing into the creek under the arch will be cared for by the sanitary sewer system.

To carry into effect the recommendations embodied in the report will require appropriations by Congress as follows:

For labor and material for perfecting a sanitary sewer system in the city of Hot Springs, the installation and operation of an experimental purification plant, and providing purification tanks in connection with such system, \$96,595.

For labor and material required in the installation of a drainage system in the city of Hot Springs, to care for storm waters from the mountains on the Hot Springs Reservation, \$237,840.

That is the amount carried in this amendment, while on the preceding page the estimate is fixed at \$327,540, including \$89,700 for extending the Hot Springs Creek Arch. It is said, however, that the installation of the sanitary sewer system will obviate this portion of the expense, and thus the amount of \$237,840 is arrived at for a drainage system in the city of Hot Springs.

The report of the Secretary concludes:

The sewerage system in the city of Hot Springs appears to be such as to require early measures looking to the betterment thereof, and I therefore commend your favorable consideration to the report herewith transmitted, to the end that the appropriations necessary for the completion of the work be provided by Congress.

My first impression was that this was a report made by the Engineer Corps, but it seems that such is not the case. The report is transmitted by Sledge Tatum, geographer, to Mr. George Otis Smith, Director of the Geological Survey, who transmits the report to the Secretary of the Interior. There is a lengthy report of 15 pages with numerous diagrams, transmitted by Mr. George W. Barnett, consulting engineer, of Athens, Ga.

I will not detain the Senate in order to read further quotations from this report. The question is a very clear one. It is whether the United States shall appropriate for a drainage system in a city which already has a permanent population of 15,000 inhabitants because of the ownership of a certain amount of land in the neighborhood.

Another argument may be raised in support of this appropriation, and that is that this water, which must be drained from the city, flows from lands of the United States; but what obligation does that impose upon the United States to complete a drainage system in the city? The city is evidently built in a locality over which, by reason of the topography, water drains. It is presumed that with their eyes open the founders of the city located it there.

There is still another point that I presume will be alleged in behalf of this appropriation, and that is that the United States owns a considerable quantity of land, perhaps a thousand acres, in this neighborhood on which it pays no taxes. But, Mr. President, are we to adopt the precedent that wherever the United States owns land it should pay for drainage and other improvements in the locality? As I understand the situation, the location of this Government reservation, with the expense incurred in its improvement and development by the United States, is the main cause of the prosperity of that city. So instead of considering this reservation, whatever the number of acres may be, as a reason for making the appropriation, it is rather a reason why a prosperous city, the growth of which has been promoted by the activities of the United States on the land owned by it, should itself bear the expense.

There is just one further point, Mr. President. For some reason which I can not understand the appropriation for the installation of a sewerage system, which, according to the report, seems to be the most pressing, is not included here. The amount estimated for that is \$96,595. In this case the committee seem to have selected the larger appropriation and the one which is least pressing.

Mr. CLARKE of Arkansas. Mr. President, an intimate knowledge of the locality involved here would have enabled the Senator from Ohio to come nearer redeeming his reputation for accurate and definite statement than he has been able to do by reason of the fact that he is not thus acquainted with the situation.

This Hot Springs Reservation is one of the national reservations of the National Government. The city of Hot Springs is partly within the reservation and partly without.

This drainage problem is an old controversy. It is difficult of equitable adjustment by reason of the fact that the property of the National Government is not subject to taxation. If all the property in the locality was in private ownership, this difficulty would be very readily disposed of under the taxing power, under the power to create an improvement district for the purpose of remedying an obvious evil. Because the local authorities can not reach the Government's property by the process of taxation, it becomes necessary to work out an equitable adjustment through some plan of this kind.

As the city of Hot Springs grows in importance and the curative properties of the water there become known throughout the world—people resort to it for a number of ailments which can not be successfully treated elsewhere—it becomes necessary to settle this vital question of drainage. Parts of the city have become uninhabitable at times by reason of the overflows therein from storm waters flowing down from the mountain sides, the property of the General Government. This property of the United States is, of course, exempt from all forms of taxation. It has therefore become necessary to agitate this question for a number of years, with a view to the settlement by some form of joint action with the General Government; to determine just exactly how much of the cost of remedying this difficulty is to be attributed to inability to tax the national property. It was also deemed important to find out how the cost of a drainage system should be distributed—what part should be done by the Government and how much should be taken care of by the local authorities through the taxation of local property. Accordingly, a thorough survey and estimate was directed by Congress, which was paid for in part by the city of Hot Springs and in part by the National Government.

The board of engineers went down there and made a thorough examination on the ground of the entire surroundings, not only the physical surrounding, but the political condition with reference to ownership and the right of taxation, and as a result a report was made. It was found that it was proper for the National Government to spend \$237,000 for building a drainage system, which will be, when completed, partly upon Government property. The demand for an improvement in the drainage is made necessary largely by the use of the Government property, for it is a fact that about 20 bathhouses are in constant operation in that city, the discharge from which constitutes no small part of the flow that must be taken care of and carried to a point of safety. The indicated adjustment was an equitable one in the judgment of the Secretary of the Interior, and he recommended this appropriation.

There will be lots of things for the city of Hot Springs to do after the United States shall do what they are required to do by the pending amendment, as there have been lots of things done by that city heretofore. It is one of the most highly taxed communities in the world. It has a multitude of obligations resting on it by reason of the presence and character of the hot springs, which attract people there as to no other city in the world. The local community has expended hundreds of thousands of dollars in their attempt to control this overflow, and as the city grows its limits encroach upon territory that was formerly the basin for this water. It has now become a matter of urgent necessity to do something toward its intelligent reclamation.

The matter was adjusted by the report made under the direction of the Secretary of the Interior, and the amount named in the pending amendment was the part of the expense that was set aside for payment by the National Government. It is a mere fraction of the entire expenditure involved in all the related improvements that are required.

The city of Hot Springs has constructed an extensive sewer system, and it spent hundreds of thousands of dollars on it, but this proposed drainage system is necessary to take care of the storm and flood waters, and the sewer system will then be enlarged in order to be made available in connection with the larger improvement made by the Government.

It is a case where, if it existed between private individuals and the local authorities, a proper adjustment could take place by direct negotiation without the necessity of doing so in the fragmentary way that inevitably happens when we discuss situations of this kind here.

The questions, which are technical in character, have heretofore been submitted to a board that had authority and capacity to investigate thoroughly and dispose of all questions involved fairly and justly. The executive officers who passed upon all the questions have said that this is the proper expenditure of money for the National Government to make in view of its attitude as coproprietor there. That board fixed the part that should be paid by the Government in dollars and cents, and made a report as detailed as it was possible to make on the subject, fixing the amount named in the amendment.

It is entirely proper that the Government, owning one part of the city, shall in some proper way voluntarily contribute to the expense of maintaining the city up to the standard of modern municipal management. Nothing is more injurious to the public health in a crowded community than an inadequate drainage system.

This is not an appeal to Congress to make a new precedent on anything. It is a case where the National Government owns

a reservation, and it is necessary that certain things shall be done on that reservation and in the vicinity of it, and in doing this involves cooperation and joint outlay of money.

The city of Hot Springs will have its burdens to look after when the drainage system is perfected, and the National Government ought now to do what was recommended by those who made a detailed and intelligent investigation of the situation.

Mr. KENYON. May I ask the Senator from Arkansas a question?

Mr. CLARKE of Arkansas. Certainly.

Mr. KENYON. I wish the Senator would explain to the Senate what is the situation there. This Government reservation is on a great mountain.

Mr. CLARKE of Arkansas. There are two mountains and they form a valley in which the principal part of the city of Hot Springs is built.

Mr. KENYON. The city of Hot Springs is built along one side and winds up through the mountain?

Mr. CLARKE of Arkansas. Yes.

Mr. KENYON. And this water pours down from the Government reservation on the streets?

Mr. CLARKE of Arkansas. That is true.

Mr. KENYON. I have been there when the town was simply flooded and the sewers could not take care of the flood waters. There are a number of leased bathhouses on the Government reservation, and there is also, as the Senator knows, a large free bathhouse there where suffering humanity can go and be treated.

Mr. CLARKE of Arkansas. And they go there by thousands.

Mr. KENYON. So the situation at Hot Springs involves something of a national aspect.

Mr. CLARKE of Arkansas. I thank the Senator for his suggestions. These occur to anyone who has ever been on the ground. On one side of the street that forms the valley the Government owns a line of bathhouse sites probably a mile in length. The United States owns several million dollars' worth of property in Hot Springs. There is not any reason why the local authorities should pay all the expenses of protecting the Government property from damage from storm waters.

Mr. GALLINGER. Mr. President, I have never investigated this matter, and hence I ask for information. How did it happen that the Government got a proprietary interest in that community?

Mr. CLARKE of Arkansas. It was reserved by act of Congress when the celebrated Hot Springs were discovered in Territorial days.

Mr. GALLINGER. A long time ago?

Mr. CLARKE of Arkansas. Oh, yes.

Mr. BURTON. May I ask the Senator just the number of acres in the Government reservation?

Mr. CLARKE of Arkansas. Something over 900 and less than a thousand. If that property were subject to taxation, there would not be any trouble about providing an adequate drainage system.

Mr. THOMAS. May I inquire of the Senator from Arkansas whether this appropriation represents the entire cost of the drainage system?

Mr. CLARKE of Arkansas. Yes; but a sewer system in addition to that must be built, and probably will be built largely at city expense, to be connected with the drainage system after its installation.

Mr. BURTON. I had anticipated that a further request would be made for that sewerage system. Why is it omitted? Why is the drainage system selected?

Mr. CLARKE of Arkansas. I do not know of any particular reason for omitting it except that it is useless to have a sewer system until we get a drainage system into which the sewer system can empty. It may turn out after the drainage system has been installed that a further appropriation will be necessary, and if it shall then appear that it is proper and equitable that the General Government should contribute, the demand will then be considered on its merits as may then appear. My impression is that the local authorities will then take care of their part, as they have attempted to take care of it for the past 50 years, until it has almost bankrupted the city in its efforts to do it.

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

The amendment was agreed to.

The VICE PRESIDENT. The next amendment passed over will be stated.

The SECRETARY. The next amendment passed over at the instance of the Senator from Colorado [Mr. THOMAS] is on page 166. The committee report to insert, beginning in line 12:

MACDONOUGH MEMORIAL.

For the erection of memorials at or near Plattsburg, N. Y., in commemoration of the victory of Commodore Thomas Macdonough on Lake Champlain, in September, 1814, \$15,000 of the sum herein appropriated to be paid to a commission appointed by the State of Vermont, and the remainder to a commission appointed by the State of New York, the whole to be applied only with the approval of a commission of three to be appointed by the President of the United States, of whom one shall be chosen from the Army and one from the Navy to represent the National Government in the erection of the proposed memorial: *Provided*, That no part of the said appropriation shall be paid out of the Treasury until after the State of New York shall have appropriated a sum not less than \$125,000 for the said memorial and celebration, \$250,000.

Mr. THOMAS rose.

Mr. GALLINGER. If the Senator will permit me, I wish to say a word. It is a matter of regret to those of us who feel some interest in this amendment that the two Senators from New York are absent, and hence the friends of the measure are laboring under quite a disadvantage.

The Senator from Colorado suggested that he might make a point of order against the amendment. I have an impression that the point of order will not lie if it is made, but I hope it will not be made.

A little time ago Congress appropriated a very liberal amount of money to erect in the city of Washington a beautiful monument to the memory of Admiral Barry, one of our naval heroes. Other monuments have been erected to commemorate the valor of our military and naval heroes. This battle, which occurred in the early days of the Republic—in the year 1814—was one of great consequence. Macdonough sent a message to the Secretary of the Navy under date of September 11, 1814, at which time he was in command of the U. S. S. *Saratoga*, and he said:

The Almighty has been pleased to grant us a signal victory on Lake Champlain in the capture of one frigate, one brig, and two sloops of war of the enemy.

I have the honor to be,

Very respectfully, sir,

Your obedient servant, T. Macdonough,

Commander.

Of that great victory on Lake Champlain I have not read the details very particularly, and I have only an indistinct recollection of it, but it had much to do with securing a victory over the British troops and the British Navy, and permitted us to secure what sometimes has been called our second independence.

In the broad sense this is not a local affair, but a national affair. The State of New York is ready to appropriate \$125,000 toward commemorating this event, and I particularly appeal to my friend the Senator from Colorado, who I know takes a broad view of public questions, not to make opposition to the amendment. It does seem to me that Congress can well afford to cooperate with the States of New York and Vermont in commemorating this great event. We contribute out of the Treasury of the United States without any help from any quarter large amounts of money to erect monuments to men who were distinguished in the naval or the military service, and sometimes when they were not in either the naval or the military service. So I make an appeal to the Senator from Colorado that this matter be considered on its merits; and if the Senate sees fit to vote it down, let the Senate do so; but if the Senate feels that this is an event that, in view of the great victory that Macdonough achieved, we can afford to make this appropriation, I hope the Senate will have an opportunity to do so.

Mr. DILLINGHAM. Mr. President, I want to add just a word to what the Senator from New Hampshire [Mr. GALLINGER] has said before the Senator from Colorado [Mr. THOMAS] proceeds.

I doubt very much whether the Battle of Plattsburg and the victory of Macdonough over the British fleet in the harbor of Plattsburg, or its effect in producing the peace which followed that event within 60 days, is fully understood. Those who have recently read the history of those times will remember that the war between Great Britain and France had then recently closed and that Great Britain had turned all of her attention to the war in America, sending 15,000 of Wellington's veterans to Montreal. The plan of campaign was to employ the Champlain Valley, that great avenue between Canada, New York, and New England, as the route through which those troops should march in their attack upon Albany and upon New York, the seat of the American supplies for all our armies in the field at that time, thus separating New England from the rest of the States, and enabling Great Britain to follow out her purpose to secure the Great Lakes of the Central West under her control. In order that her armies should successfully make that advance upon New York, it was necessary that she should

have the control of Lake Champlain, 100 miles in length, through which supplies from her base at Montreal could be carried to the invading army.

The year previous to that there had been a disaster on Lake Champlain; two vessels of the Government had been destroyed; and the situation was considered so acute by the Government that the Secretary of the Navy wrote a letter under date of June 17, 1813, to Commodore Macdonough, in which he says:

It now only remains to regain by every possible exertion the ascendancy which we have lost, for which purpose you are authorized to purchase, arm, and equip in an effective manner two of the best sloops or other vessels to be procured on the lake.

Later in the letter he uses this language:

You are to understand that upon no account are you to suffer the enemy to gain the ascendancy on Lake Champlain; and as you have now unlimited authority to procure the necessary resources of men, materials, and munitions for that purpose, I rely upon your efficient and prudent use of the authority vested in you.

It was the clear-sighted view of the Secretary of the Navy that the control of Lake Champlain was absolutely necessary to the defense of America against the invasion of Prevost. But the story is not half told without remembering how Macdonough, going into Otter Creek at the foot of the falls near Vergennes, on the Vermont side, built the fleet with which the battle was fought, and the *Saratoga*, from which he commanded the battle, was completed and launched within 40 days from the time that the trees were cut in the forest.

What was the result of that battle? I do not propose to take the time of the Senate in describing it. It is mentioned by Col. Roosevelt in his history, by Capt. Mahan, by McMaster, and by every historian who has written on the subject as being the decisive battle of the War of 1812 between the United States and Great Britain and the one which brought about an honorable peace. Prevost had invaded our country with those veterans of Wellington; he reached Plattsburg and there met the militia of New York and of Vermont, who made a stubborn and successful defense. When Macdonough came into Cumberland Bay and won a signal victory—and it was one of the most signal victories of the war—and destroyed the British fleet, Prevost was compelled to retreat to Montreal with his army, his source of supplies being cut off, and the news of the disaster reaching England within a month after that time. It changed the whole course of events. Conditions in the United States were considered so critical that Wellington was asked to come to take command of the English troops in this country. In the letter written in reply to that request, he said:

Neither I nor anyone else can achieve success in the way of conquest unless you have naval superiority on the Lakes. That was what was needed—not a general nor general officers and troops. Till that superiority is acquired it is impossible, according to my notion, to maintain an army in such a situation as to keep the enemy out of the whole frontier, much less to make any conquest from the enemy, which, with those superior means, might, with reasonable hopes of success, be undertaken. The question is whether we can obtain this naval superiority on the Lakes. If we can not, I shall do you but little good in America; and I shall go there only to prove the truth of Prevost's defense and to sign a peace which might as well be signed now.

Thus, Mr. President, in very brief form I have presented the importance of this victory. It vastly outranks the victory of Perry—I do not mean in valor, but in its effect in shaping the history of our country—and yet last year we made an appropriation of \$250,000, through which the Perry memorial has been erected on Lake Erie. New York cooperated in that scheme, and New York has now come forward with an appropriation already made of \$125,000 to commemorate Macdonough's victory. Vermont has made an appropriation for the same purpose, small, to be sure, but according to her means. These States have come to Congress asking that this great and signal victory of Macdonough on Lake Champlain which destroyed the British fleet, prevented the invasion of New England and of New York, and which ended the war shall be suitably commemorated, and that Congress shall make this appropriation in order that the victory may be assigned that place in history to which its importance entitles it.

Not only that, Mr. President, but the points designated for these great memorials are points where memorials should be established. Lake Champlain is the great highway between Canada and New York and New England. Tourists in large numbers are passing up and down that lake; commerce is traversing its course during the entire summer of every year; and a great memorial placed upon Cumberland Head will be one that will be gazed upon by countless thousands during the ages to come.

I trust that my friend from Colorado will let us act upon this amendment. I have made this statement merely as an appeal to him, because I recognize the danger that lies in the suggestion he has made.

Mr. THOMAS. Before the Senator takes his seat I should like to inquire whether he thinks that the results of that battle are going to be at all imperilled by the defeat of this appropriation?

Mr. DILLINGHAM. Not at all. It resulted in a treaty of peace with Great Britain in which, as has been suggested by the Senator from New Hampshire [Mr. GALLINGER], we achieved our second independence. But Macdonough's great victory was the one incident in that war which more than any other brought us an honorable peace and gave us a higher place among the nations.

Mr. GALLINGER. Mr. President, I simply want to add that the British fleet was superior to our fleet in both ships and men, and that the victory was therefore all the more to the credit of Macdonough and the men who cooperated with him.

I want to read just a line or two from what Capt. Mahan, who is recognized the world over as perhaps as good an authority on naval matters as any man living, has said regarding the Battle of Lake Champlain:

The Battle of Lake Champlain, more nearly than any other incident of the War of 1812, merits the word "decisive"—decisive not merely in relation to immediate military results, but in relation to political questions involved in the pending negotiations for peace.

As the Senator from Vermont [Mr. DILLINGHAM] has suggested, every other writer on the history of those times has paid a similar tribute to Macdonough and to the men who cooperated with him on the water and to our forces on the land which drove Prevost back to Canada with his shattered army. The truth is, the Battle of Lake Champlain practically ended the war, the treaty of Ghent being signed on Christmas Eve, 1814.

Mr. THOMAS. Mr. President, I should like to ask the Senator before he takes his seat if he does not think that it is becoming mere expensive to commemorate great victories than it is to win one?

Mr. GALLINGER. Well, Mr. President, if we had not won this victory we would not be planning to commemorate it.

Mr. SAULSBURY. Mr. President, I want to add my voice to the requests of the senior Senator from New Hampshire [Mr. GALLINGER] and the Senator from Vermont [Mr. DILLINGHAM]. I regret very much that the Senators from the State of New York, who have proposed a resolution commemorating this victory, are not here, but I feel a peculiar interest in the matter and that I should do what I can toward securing a proper memorial to one of the greatest men who ever was born in my State—Commodore Macdonough. The great bravery and the great skill shown by him as a naval officer at the Battle of Lake Champlain may have enabled us to preserve our present boundaries for this country.

I want to call the attention of the Senator from Colorado to the fact that after the victory of Lake Erie the war had gone on for upward of a year, and the victory of Lake Champlain occurred on the 11th day of September, when our envoys were negotiating and preparing the treaty of peace which was signed on Christmas Eve, 1814.

The Battle of New Orleans really had nothing, of course, to do with the termination of the War of 1812, but when the victory on Lake Champlain occurred, which was due entirely, as the Senator will find if he will examine the records, to the skill of one naval officer, and against great odds, both in men and metal, Great Britain found that she could not continue that war. The commendation given to Commodore Macdonough by the Secretary of the Navy, I think, is worth reading to the Senate. I have a copy of the letter written by the Secretary, dated the 19th of September, as follows:

NAVY DEPARTMENT, September 19, 1814.

THOMAS MACDONOUGH, Esq.,  
Commanding the United States Naval Force  
on Lake Champlain, Plattsburg.

SIR: With the highest gratification which noble deeds can inspire, I acknowledge the receipt of your letter of the 11th instant announcing the glorious victory which your skill and valor, aided by the intrepidity and discipline of your gallant associates, had achieved over a confident, vigorous, and powerful foe. Our lakes, hitherto the objects only of natural curiosity, shall fill the page of future history with the bright annals of our country's fame and the imperishable renown of our naval heroes.

'Tis not alone the brilliancy of your victory in a naval view, but its importance and beneficial results that will fix the attention and command the gratitude of your admiring country.

Accept, sir, the assurance of the high respect and warm approbation of the President of the United States, which I am commanded to present, and my sincere congratulations.

Very respectfully, your obedient servant,

W. JONES.

On the 3d of October, 1814, the victory of Lake Champlain was under consideration in the Senate, and the thanks of Congress were extended to Commodore Thomas Macdonough and his offi-

cers, petty officers, seamen, and marines, and medals were ordered distributed to them.

I want to remind the Senator from Colorado that on that day in the House of Representatives, due to the invasion of this portion of the country by the British forces, there was a tie vote as to the removal of the seat of Government from where it now is and where it has been since it was first established. The conditions in this country were such that a man such as Macdonough was needed to establish the fame and prowess of America.

Memorials to heroism, I think, we can everywhere afford to erect for the commemoration of great events, and there is no dispute, Mr. President, in regard to the greatness of this victory. McMaster in his History of the American People says:

The fight in Plattsburg Bay was undoubtedly the greatest naval battle of the war, and the victory stamped Macdonough as the ablest sea captain our country produced down to the rebellion.

Capt. Mahan said regarding the effect of this battle:

The Battle of Lake Champlain, more nearly than any other incident of the War of 1812, merits the word "decisive"—decisive not merely in relation to immediate military results, but in relation to political questions involved in the pending negotiations for peace. (Capt. A. T. Mahan, U. S. N., in his "Sea Power in its Relations to the War of 1812.")

Those political negotiations, Mr. President, I have briefly alluded to. There is little doubt that the victory of Commodore Macdonough on Lake Champlain contributed very largely to the favorable terms of peace, more favorable, I think, than this Government had expected, when they were completed on Christmas Eve in 1814.

The conclusive character of that victory has been recognized by every writer on the subject. President Roosevelt, in his "Naval War of 1812," said:

Macdonough in this battle won a higher fame than any other commander of the war, British or American. He had a decidedly superior force to contend against, the officers and men of the two sides being about on a par in every respect; and it was solely owing to his foresight and resource that he won the victory.

I sincerely hope that the Senator from Colorado will not press his point of order in such a matter as this. It is due to the memory of this great naval officer, and it is due to the States which are taking so much interest in this matter, I think, that the Congress of the United States should act.

Mr. PAGE. Mr. President, I want to make another appeal to the Senator from Colorado. He and I have usually been able to work pretty well together in matters of appropriation. I know he feels that the annual appropriation bills are aggregating too much, and that we ought to slice off something somewhere; and he thinks perhaps there is no better place than this to begin.

Mr. THOMAS. Mr. President, does not the Senator think so, as well as the Senator from Colorado?

Mr. PAGE. I do; but I want to suggest to the Senator from Colorado that we have been appropriating large sums of money to take care of the arid and semiarid regions of his State and of the West generally; we have been appropriating large sums of money to take care of cotton in the South in the eradication of the boll weevil; and we have gone out into the Middle West, at the suggestion of the junior Senator from Iowa [Mr. KENYON], and have appropriated hundreds of thousands of dollars for the hog.

Now, I want to suggest to the Senator from Colorado that this appropriation is for the benefit of the American boy and the American girl, and while we are conserving everything else let us not entirely neglect the next generation.

A good friend of mine, a brother Senator, took me last night down to the Mall, and as we passed along he said: "There is the site of the new Lincoln memorial. They are going to raise the elevation there 40 feet over a large area, and then we are going to spend millions of dollars to erect the memorial." I do not regard that money as lost. The people of this country are coming here to Washington, and they are going to see that memorial. It is going to teach them lessons of patriotism, and we are going to have better citizens because of such memorials.

I confess that a memorial built upon Lake Champlain will not be seen by as many people as would one here in Washington; although I want to suggest, in passing, to the Senator from Colorado that the State of New York has already opened up the waterway from Albany, on the Hudson River, to Lake Champlain, and we have already made appropriations to begin the work of opening up the lower end of Lake Champlain, so that vessels drawing 10, 11, and perhaps 12 feet of water can pass through; and I have personally conversed with people from Canada who are very enthusiastic in regard to the opening up of the Richelieu River, so that when we can meet them at the border line a waterway will be open from New York City down to the St. Lawrence River. I verily believe that in the

next 10 years you are going to see a traffic through Lake Champlain that will be truly surprising. If we place a memorial there, we are going to place it where a great many thousand people will see it every year. Do not for a moment believe that it will be buried in Lake Champlain.

We talk diminutively of Lake Champlain, but I want my brother Senators to remember that it is the greatest body of fresh water entirely within the United States. We have our Lake Superior and Lake Michigan, our Lake Huron and Lake Erie and Lake Ontario, but they are all on the border and in part in another country. I mention this because I do not like to have Senators speak diminutively of this lake or of the number of people who will see this memorial.

But I come to the Senator from Colorado in a more personal way. I want to speak for the Vermont boy and the Vermont girl. I know he himself appreciates them, because we have furnished to his great State a United States Senator, a governor, and only a short time ago the Senator told me of the recent death of one of Vermont's sons who had been speaker of the house of the State of Colorado, and all of them were residents of his own city—Denver.

I do not believe the Senator realizes the position that Vermont occupies with reference to her sister States. No other State in the Union begins to furnish as large a percentage of her native sons to go out and help build sister States as Vermont. Now, I appeal to the Senator from Colorado to let us have a memorial there. You have given them to other States. My colleague has explained, better than I can, what we gave to Lake Erie. Since Vermont and New York have joined together to pay a good part of the expense, let us have a small donation from the Federal Government to give us an educational memorial on Lake Champlain, on the borders of those States.

I was called to Chicago in 1891 to speak to the sons of Vermont there, and one of the things I talked about when I reached Chicago was the preponderance of Vermont strength in this honorable body in the year 1891. Upon an examination I found that we had 13 times as many Senators as we would be entitled to here were the representation based upon our population. The chair of the Vice President was occupied by Morton, born in Shoreham, Vt. On this side sat the great constitutional lawyer, Edmunds. I speak of these men because I believe that not only in numbers but in real mental strength we were perhaps very much larger than our size numerically. On the Democratic side of the Senate sat one of the ablest Senators of the West, former Postmaster General Vilas, of Wisconsin. I remember that either Matt Carpenter or Philetus Sawyer, I do not now recall which, then represented the State of Wisconsin in this body, both of them sons of Vermont. On this side was that great statesman, who longer than any other served his country in Congress—the distinguished author of the agricultural college bill—Justin S. Morrill.

Mr. WHITE. Mr. President, will the Senator from Vermont yield to me?

Mr. PAGE. With pleasure.

Mr. WHITE. I just wanted to ask the Senator if he did not think possibly the Senators from Vermont had confined themselves too closely to that side of the Chamber; that some of them ought to have come over on this side and helped us?

Mr. PAGE. Well, we did not send a great many Democrats, but those we did send were of the very highest order. We made up in quality what we lacked in quantity. As an example, I call the attention of the Senator from Alabama to Cleveland's Postmaster General, Senator Vilas.

Senator Morrill sat in the Senate not quite as long as Senator Allison, but as a Member of Congress he was in both Houses longer than any other man that ever lived, and probably longer than any other man that ever will live. For almost 44 consecutive years he occupied a seat in Congress.

I might go on and mention the many distinguished Vermonters who have sat in this Senate, but time will not permit; but I do wish to impress upon my friend from Colorado the peculiarity of these Vermont Senators. Not a single one of them came from a town having as many as 1,250 population. They were boys who had to break their own roads through the snowdrifts to the little red schoolhouse. Mr. President, our Vermont farmers and their wives are notably thrifty, and they have been compelled to lead prudent lives in order that they might rear their sons and daughters and give them an education suitable to fit them for life. The moment the Vermont boys reach manhood and are able to take a broad view of life, they start for wider fields, and the result is that Vermont supplies the rest of the country with the best of her sons and daughters.

I realize the anxiety of the Senate to conclude its deliberations on this bill, and I do not want to longer take its time. As my colleague has well said, you have given to other localities their memorials. I hope the Senate will give us this one; and I hope the Senator from Colorado will withdraw his point of order, and let us act on the merits of this amendment.

The VICE PRESIDENT. The Chair does not understand that any point of order has been made.

Mr. SHAFROTH obtained the floor.

Mr. THOMAS. Mr. President, I do not care to interrupt any Senator who desires to speak upon this subject. I understand that the point of order, if made, is not debatable.

The VICE PRESIDENT. It is not debatable.

Mr. THOMAS. Therefore I hesitate to make it as long as any Senator desires to express himself.

The VICE PRESIDENT. The Chair has no recollection that any point of order was made.

Mr. PAGE. The point of order, as I understand, was made by the Senator from Colorado [Mr. THOMAS], and then, at the request of the Senator from New Hampshire [Mr. GALLINGER], was withdrawn.

Mr. THOMAS. That is correct. I withdrew it, reserving the right to renew it this morning. If my colleague desires to speak upon the subject, I will not make it at present.

Mr. SHAFROTH. I voted against the appropriation in the Appropriations Committee, and if there is going to be discussion before the Senate, I should like to state the reasons why I did; but if a point of order is going to be made, I do not care to discuss the point of order.

As a member of the Committee on Appropriations, when this matter came before the committee I voted against the appropriation. The reason I did so was because the state of the finances is not such, in my judgment, that we should indulge in luxuries. Of course, memorials appeal to the esthetic taste, look very beautiful, and all that, but we have some serious governmental problems to solve, and they require money, and it seems to me that this is not a good time to appropriate large sums of money for that purpose.

It is true that we have appropriated, and we do every once in a while appropriate, money for the erection of a monument here in the District of Columbia. The reason for that, more particularly, is in order to beautify this city. It is territory that is within the exclusive jurisdiction of the United States, and it is more appropriate that we should erect monuments here than that we should scatter them all over the United States. If we enter upon the policy of erecting monuments all over the United States, it is going to take hundreds of millions of dollars.

There is not any question but that this was a battle of considerable moment. I suppose the forces involved in the affair were very small, but nevertheless it was of great consequence.

Mr. PAGE. It was one of the decisive battles.

Mr. SHAFROTH. That may be; it was one of the important battles of that period, and yet, of course, from the number of men that were engaged, no doubt it was very small compared to the armies that were engaged in our Civil War. Nevertheless, if that battle is to be commemorated by a monument erected within a State probably four or five hundred miles from the seat of Government of the United States, I do not see why each one of the battles that were fought during the Civil War should not have a large memorial; and if that is going to be done, where is this policy of erecting monuments to end? I do not know.

I think very few monuments have been erected by the United States in commemoration of battles. I saw one up in Gettysburg on Memorial Day. It was very appropriate that it should be there. It was not such an extraordinary one. I doubt very much whether it cost over \$100,000. During the last few months I have had occasion to look at an advertisement which has appeared in the Washington Post, giving pictures of the monuments that have been erected in the city of Washington, together with the amount of the appropriations which have been made by Congress. In the case of nearly every one of those the amount which was appropriated was small. I was surprised to find that the cost of these equestrian statues, with their bases and all, scarcely ever exceeded \$75,000 in any case, and yet they are beautiful memorials. They are magnificent, and they are very appropriate in the Capital of the United States.

If we are going to enter upon the policy of commemorating not only the Battle of Lake Erie, but also the Battle of Lake Champlain, where is Valley Forge going to come in? Where are all the other battles to come in—Yorktown and others—that occurred in the Revolutionary War? Are not the people of those localities as much entitled to memorials as these others?

Cornwallis's surrender at Yorktown was a very important surrender, if I remember correctly, and the same is true of a great many of the battles that occurred in the Revolutionary War. Then, if you turn to the War of 1812, you will have a score more, and when you come to the Civil War there will be hundreds and almost thousands; and if each one is appropriated for, the last must have a little more beautiful memorial than that which was appropriated for the year before.

It seems to me that inasmuch as we have not committed ourselves to the erection of memorials outside of the city of Washington, we ought to draw the line here, unless we enter upon a policy which will be well understood, and determine how much ought to be expended on this line. If, however, we are going to let the erection of a monument depend upon whether or not one Senator wants it, we out in Colorado might say: "There ought to be a great monument at Pikes Peak, and we would like to have one there, because it marked an era in the change of the flow of the population of the United States and the discovery of a great country out there."

Mr. GALLINGER. But, Mr. President, the peak itself is a pretty good monument, is it not?

Mr. SHAFROTH. It is a pretty good monument; but Zebulon Pike was a pretty good man, too, and he made the discovery and published to the world the riches that were there. One of the significant things that existed there was that everybody thought that gold was around in the vicinity of Pikes Peak, and it was not discovered until some 30 or 40 years afterwards; and yet that intuition seems to have been true, because the richest gold camp in the United States was found at the base of Pike's Peak.

But, Mr. President, where is this going to lead us? If we are going to appropriate \$250,000 for a memorial at Lake Champlain to commemorate the Battle of Lake Champlain, there are any number of battles that are entitled to monuments. We ought to have some kind of a program or else we shall have to pick out the very great battles in the entire United States and appropriate for them. It seems to me, however, that to put as a rider upon an appropriation bill something that will shape itself into a policy of the United States Government with regard to the appropriation of money for luxuries is something that we ought not to do, for the reason that hundreds and perhaps thousands of these memorials will be asked for, and whether or not Congress will give them will depend to a large extent upon the popularity of the Senator making the request. That being the case, we know not where we are so far as finances are concerned if we are going to enter upon a policy of that kind.

Mr. REED. Mr. President, the Senator from Colorado asked the very pertinent question, "Are we likely to lose the results of the victory of Lake Champlain by not erecting this monument?" To that I answer unequivocally, "We are likely to lose one of the best results of that victory if we fail to keep alive its glorious story." We do not erect monuments in solace of the dead. We build them for the inspiration of the living. That nation which neglects the dust of its heroic dead and turns a deaf ear to the voice of patriotism will not long remain great.

In these piping times of peace and expurgated diplomacy we have constantly thrust upon us the philosophy that war is a thing to be abominated and that soldiers and sailors who die in defense of home and country are in need of apologists. I, in common with all others, would like to behold the sunrise of the millenium, when the lion and the lamb may lie down together and the white dove of peace hover over every land. But, sir, he is blind, indeed, who does not recognize the fact that as the world is now constituted, the life of the Republic, the liberties of its citizens, their right to walk this earth without clanking the chains of a master, depend in the last analysis upon the valor of the people.

If there be a present menace, it is found in the disposition to commercialize everything. The tenderest sentiments of life are now weighed in the traders' balances. The noblest aspirations and accomplishments of patriotism are valued as they bring in revenue. Nothing is any longer of account unless we can reduce it to dollars and pence.

I utterly abominate that doctrine. I would rather have a people living upon the very verge of poverty, yet recognizing that manhood is the standard of greatness, than to live in a temple of gold, where serfs and sycophants cringe and bow before either the masters of wealth or the masters of power. The greatness of every nation depends upon the individual citizen; and the greatness of every nation in the last analysis depends to a great extent upon the valor of the individual man.

When it is publicly declared that those who have bared their bosoms to the storms of war, who have offered their lives upon the altars of human liberty, shall sleep in unremembered graves; or when we are told that in commemorating their sac-

rifices, their greatness and their valor, we should make careful estimate in cold dollars of the value of their services and count the cost with stingy hand, we have reached the point where valor, patriotism, and sacrifice will be no longer regarded as the noblest duty of the citizen.

Mr. President, the Senator from Vermont uttered a great truth when he said this monument should be built for the boys and girls of Vermont. Aye, sir, it should be built for the boys and girls of the United States. No nation has ever kept alive the fires of patriotism unless it has been willing to honor those who have died in its defense. The peoples who have maintained their liberties and become great have erected noble monuments to their heroes, and covered them with laurels of respect and the flowers of love.

The Temple of Fame was not built as a financial investment. It was erected that the youth of the land might gaze upon it and in the story of the heroic dead gain an inspiration from their example.

I would hang upon the walls of every public building the pictures of our country's patriots and martyrs. I would hold before the youth of the land the story of Lexington and Yorktown, of New Orleans, of Chapultepec, of Lookout Mountain, the Wilderness, and all the great battles in which the sons of America have marched forth to death with cheers upon their lips. I would enbalm in song and story the courage of Perry and Farragut, of Jones and Macdonough, of Dewey and Schley, and all the others, officers and men, who did their duty valorously and well.

These heroes have gone, or are fast going, into the land of dreams. Moving across the sunlit fields of life are the children of to-day. The shadowy hosts of the future are pushing forward to take their places in the endless procession that marches across this bank of time. They soon will be the citizens of the Republic. As they approach, I would their eyes might gaze upon statues of marble and of bronze, preserving the heroic figure of George Washington, the intellectual features of Thomas Jefferson, the grizzled visage of Andrew Jackson, the determined countenance of Ulysses S. Grant. I would have them look upon the sorrowful face of Abraham Lincoln and the noble features of Robert E. Lee and Stonewall Jackson. I would also point them to monuments commemorating the deathless courage of Macdonough, and tell them how this man, in a few days of time, hewed from the bosom of the forest his boats of war, and with less men and less guns than were possessed by the proud mistress of the waters wrested from her a glorious victory for our arms and preserved the integrity of the young Republic.

Sir, I count money so used as spent in the interests of humanity, patriotism, and the perpetuation of the liberties of the people of the United States of America.

Mr. THOMAS. Mr. President, I have not been a Member of this body very long, but long enough to realize that the surest road to unpopularity and opposition lies in the effort to economize in public expenditures, and that he who seeks to stay the steady march of appropriations is not only subject to reprisals, but must run counter not only to many interests but to many appeals, which, coming from personal friends and from the insistence of those whom one holds in high regard are extremely difficult to withstand.

I have also discovered, Mr. President, that the average large appropriation in its last analysis is generally defended by an appeal to patriotism. It is therefore no pleasure to me, Mr. President, to occupy an attitude of opposition either to this or to any other of the many appropriations which are swelling the total expenditures of this Government to an appalling aggregate, for I know full well that this, together with other amendments made by the Senate committee to the bill, will be enacted into law unless they can be subjected to points of order.

I regret very much that the character of this appropriation is such as to make personal appeals not to oppose it almost irresistible. I have been struck during this discussion with the fact that appropriations, local in character, in a general appropriation bill, like the removal of tariff duties upon articles of local importance, constitute the chief obstacles to all change. As in the case of a man living on the Pacific coast and there representing a community interest in a particular industry, he seeks to preserve that industry in the exercise and enjoyment of the privilege which is obtained by law, while anxious to remove those privileges in other sections of the country, so each appropriation making up the aggregate of a general appropriation bill appeals, exclusively sometimes, but always appeals to some particular locality, in consequence of which it looms more largely in its importance when it is attacked than all the rest of the bill combined. Therefore it is perfectly natural, Mr. President, that this appropriation should find its advocates

almost entirely from the locality where the money is to be expended.

Mr. President, I believe I am as conscious of the importance of the Battle of Lake Champlain as any other citizen familiar with its history. I believe I am as conscious of the importance of commemorating great events of the Nation's history as can be the Senator from Missouri [Mr. REED]. But I believe, too, that there is a time for all things, and that when a great political party coming into power after an exile of many years at the outset of its campaign focused attention upon national extravagance and pledged itself to the people of the country that it would among other things effect a great reform in that direction if entrusted with power, it is as much the duty of the majority to obey that pledge as it is to conform to any other of its platform obligations.

Yet I am sorry to say that I have seen no evidences of a movement in that direction except as to matters of comparatively insignificant importance, while as to large appropriations liberality marks the occasion of all our actions, with the result that we shall probably appropriate more money in our general appropriation bills than ever before in the history of the country. We are economizing in some directions. For instance, in the senatorial barber shop and bathroom. I could not but think when the eloquent Senator from Vermont was discoursing and discoursing truly upon the virtues and the capacity and the patriotism of the sons of the Green Mountain State, who have occupied places in this Chamber, we should have thought or reflected upon the fact that they in their days of supremacy patronized the bathrooms and barber shops of the Senate, and, consequently, imparted an atmosphere of sanctity to the precincts of that place to which we all resort, and, as a consequence, should have withdrawn the hands of economy when stretched out in that direction.

Mr. President, some time ago, I think it was in one of the bills that has been considered by this Congress, an effort was made to increase the salaries of worthy occupants of official positions in some of the departments here, and particularly in the Department of the Treasury. I recall that of the chief clerk of the Customs Division, who by dint of hard work and attention to duty saved this Government last year \$180,000. It was proposed to increase his somewhat meager salary some \$500 a year, but that brand of economy which occasionally overtakes the Congress of the United States then came to the front and the allowance was denied.

I mention this not by way of invidious distinction, Mr. President, but merely to illustrate a number of similar instances in which we are prone to economize; and I have been unable to observe that, except in these smaller matters, which, of course, are relatively important, there is any spirit upon either side of this Chamber to administer the revenues of the country in the manner in which they should be administered and to the end of true economy.

Mr. President, I have seldom listened to a more eloquent tribute to valor and patriotism than that which has just fallen from the lips of the junior Senator from Missouri. There is much to be commended in the attitude which he has taken, but to my mind the most tremendous effect of war is the enormous burden of permanent expenditures and debt which it places upon the bent shoulders of future generations.

The Senator spoke of the generations which are to come and take our places as they successively appear upon the stage of action. They should have their minds stimulated and their hearts fortified with enduring patriotism by erecting monuments everywhere over the country to commemorate the valor and achievements of other days, and thus appeal to those sentiments and keep them alive forever more.

Mr. President, there is another side to the picture, for upon the shoulders of that shadowy multitude rest thousands of millions of debt, the heritage of war and of conflict, which these generations must forever bear, together with the constant accumulations which each successive period of strife adds to the mighty burden.

I would that war, with all its horrors and all its destruction and all its agonies, might be swept forever from the pathway of human history. To my mind the great value of monuments erected to the commemoration of these struggles is the lesson which they teach of sacrifice, of expenditure, of suffering, and of bloodshed, and that lesson, rightly learned and correctly interpreted, should warn the generations which witness these memorials of past triumphs against the repetition of conflicts when by honorable means they can be avoided.

Mr. President, I am sensible of the absence of the two Senators from the State of New York, and I would that this matter might come up at some time when one or the other of them were present; but, of course, it is not my fault nor the fault of any





Mr. BRISTOW. I shall be very glad to see that done.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was rejected.

The VICE PRESIDENT. The next committee amendment passed over will be stated.

The SECRETARY. The next amendment of the Committee on Appropriations passed over was, on page 186, in line 4, after the word "expended," to insert the following proviso:

*Provided*, That all expenditures from the appropriations heretofore, herein, and hereafter made for the construction of the Panama Canal, including any portion of such appropriations which may be used for the construction of dry docks, repair shops, yards, docks, wharves, warehouses, storehouses, and other necessary facilities and appurtenances, for the purpose of providing coal and other materials, labor, repairs, and supplies, for the construction of office buildings and quarters, and other necessary buildings, exclusive of fortifications and colliers, and exclusive of the amount used for operating and maintaining the canal, and for the permanent organization after the canal is opened for use and operation, may be paid from or reimbursed to the Treasury of the United States out of the proceeds of the sale of bonds authorized in section 8 of the said act approved June 28, 1902, and section 39 of the tariff act approved August 5, 1909.

Mr. SMOOT. Mr. President, I intend to make a point of order against this amendment, but I do not desire to do so until the Senator from Iowa [Mr. CUMMINS] has had an opportunity to speak upon it.

Mr. KENYON. Was this amendment passed over at the request of the senior Senator from Iowa?

Mr. SMOOT. It was passed over at the request of the senior Senator from Iowa.

Mr. KENYON. I have sent for him.

Mr. SMOOT. Mr. President, I want to call attention to the object of this amendment. The tariff act of 1909, in section 39, provides as follows:

Sec. 39. That the Secretary of the Treasury is hereby authorized to borrow on the credit of the United States from time to time, as the proceeds may be required to defray expenditures on account of the Panama Canal and to reimburse the Treasury for such expenditures already made and not covered by previous issues of bonds, the sum of \$290,569,000 (which sum, together with the \$84,631,900 already borrowed upon issues of 2 per cent bonds under section 8 of the act of June 28, 1902, equals the estimate of the Isthmian Canal Commission to cover the entire cost of the canal from its inception to its completion).

I wish the Senate to take particular notice of the authorization the Secretary of the Treasury had for issuing these bonds. It was "to cover the entire cost of the canal from its inception to its completion." The bonds authorized have not all been issued. There have been paid out of the general funds of the United States something more than \$200,000,000 toward the construction and completion of the Panama Canal. The amendment reported provides:

That all expenditures from the appropriations heretofore, herein, and hereafter made for the construction of the Panama Canal, including any portion of such appropriations which may be used for the construction of dry docks, repair shops, yards, docks, wharves, warehouses, storehouses, and other necessary facilities and appurtenances.

Mr. President, that means that for every dollar that has been paid out in the past toward the construction of the Panama Canal from the general funds of the Government the Secretary of the Treasury can now issue bonds for that amount, and not only for that amount, Mr. President, but for the amount that will be required for the completion of the canal proper, and also "for the construction of dry docks, repair shops, yards, docks, wharves, warehouses, storehouses, and other necessary facilities and appurtenances."

Mr. THOMAS. Does the Senator from Utah mean that the Secretary of the Treasury may issue and sell bonds exclusive of the amount of bonds provided for in the tariff act to which the Senator refers?

Mr. SMOOT. No; the Secretary of the Treasury is not authorized to do that under this amendment, but he is authorized under this amendment to issue the bonds provided for in the tariff act of August 5, 1909, to pay the amount of money that has already been paid from the general fund of the Government toward the completion and construction of the Panama Canal.

Mr. THOMAS. That is, the unsold bonds of that issue?

Mr. SMOOT. The unsold bonds of that issue.

Mr. BRISTOW. Mr. President—

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. I do.

Mr. BRISTOW. As I understand, there has been up to this time approximately \$340,000,000 expended in the construction of the canal.

Mr. SMOOT. Approximately \$354,000,000.

Mr. BRISTOW. A part of that has been obtained by the sale of bonds and a part of it has been taken from the general fund of the Treasury. All bills up to date have been paid?

Mr. SMOOT. That is true.

Mr. BRISTOW. This bill proposes to appropriate \$20,000,000 additional. It not only authorizes the Secretary of the Treasury to sell bonds to obtain the \$20,000,000, but it authorizes him to sell bonds representing expenditures that have already been made out of the Public Treasury so as to obtain money to construct additional facilities that are not provided for here?

Mr. SMOOT. Certainly; and not only that, Mr. President, but it authorizes the Secretary of the Treasury to sell these bonds and return the proceeds to the general fund of the Treasury the amount that has been paid out of that general fund, or, in other words, the Secretary of the Treasury under this amendment can sell over \$200,000,000 worth of those bonds. I have sent to my office to ascertain the precise amount of construction cost paid from the general fund, and if I have not given it correctly I will correct my statement; but the law authorizes the Secretary of the Treasury to sell the amount of bonds provided for in the act of August 5, 1909, to reimburse the general fund of the Government for the amount expended on the construction of the canal.

Mr. BRISTOW. If the Senator will allow me, would it not be better to put it in this way: It is proposed to authorize the Secretary of the Treasury to sell \$200,000,000 of bonds to obtain money with which to pay the current running expenses of the Government?

Mr. SMOOT. Mr. President, I do not want to go that far, because the amendment does not specifically so state, but that is its ultimate object.

Mr. BRISTOW. That is the object of it. Evidently anticipating a deficit in the revenues, instead of asking for permission to issue bonds to meet it, they want to issue bonds on account of expenditures which have been made, paid for, and settled, in order to get the money to meet current expenses, the ostensible purpose being to meet expenditures incurred in building the canal, although the canal has been constructed and paid for with the exception of an expenditure of about \$20,000,000.

Mr. BRYAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. I yield.

Mr. BRYAN. I think that would hardly be a fair construction to place upon the purpose of this provision. It was in the sundry civil law of last year practically the same as it is in the bill of this year, the only difference being that the words "and colliers" "and maintaining" are added to this provision.

Mr. SMOOT. That may be true, Mr. President—

Mr. BRYAN. I do not know for how many years a similar provision has been in the sundry civil appropriation bill, but certainly it was in the bill last year.

Mr. SMOOT. I think that was the first year it was placed into an appropriation bill.

Mr. BRYAN. It seems to me it does not make a great deal of difference whether it remains in this year or not, because the same words contained in this bill are in the law now.

Mr. SMOOT. That law did not say that "hereafter"—

Mr. BRYAN. It did say "hereafter." I will read it to the Senator.

Mr. SMOOT. Very well; the Senator may read it.

Mr. BRYAN. It reads:

*Provided*, That all expenditures from the appropriations heretofore, herein, and hereafter made—

And so forth.

Mr. SMOOT. I do not mean "hereafter" in that sense. I mean that the provision which was put in last year's law only applied to the end of that fiscal year, and unless a similar provision is now put in this bill the provision in the law of last year ceased on June 30 last.

Mr. BRYAN. So the provision in this bill will cease on June 30 of next year.

Mr. SMOOT. Yes, Mr. President, I know that; but I want to say to the Senator that when a similar provision was put in the bill last year there was criticism made of it in the committee, but it was stated that it would make no difference; that it was not expected to use any money that might be derived from the sale of said bonds; and that therefore it would do no harm. I remember, Mr. President—

Mr. BRISTOW. Mr. President—

Mr. SMOOT. Just a moment. I remember that two years ago, I think it was, the Senator from Colorado [Mr. THOMAS], in discussing the very question of the authorization of issue of bonds for this purpose, and the fact that none had been issued under it for some time before, asked whether or not the Government of the United States could issue them, and I told the

Senator from Colorado at that time the Treasurer could issue them, but I did not believe that he ever would.

Mr. THOMAS. That was one year ago.

Mr. SMOOT. The Senator from Colorado corrects me, and says that was one year ago.

Mr. President, it has been my thought and my belief that no more of those bonds would be issued. I want to say to the Senate now that when the provision to which I have referred was put in the tariff act of 1909 it was thought then that there would be very few of the bonds ever issued; but the provision was inserted so that in case it happened in any particular year that there was not revenue enough to meet the general expenses of the Government the construction of the Panama Canal would not be interfered with. At that time, Mr. President, we did not know what the canal was going to cost; we had a general idea, but nobody knew even approximately what it would cost; and the provision was enacted at that time out of abundant caution.

Mr. BRISTOW. Mr. President, I should like the attention of the Senator from Florida. I regret that the provision was in last year's bill. I do not think it ought to have been there. I think it is altogether proper to provide for a bond issue to meet the expenditure of \$20,718,000 provided in this bill, in the event the general revenues of the Government should prove inadequate, but to authorize the Secretary of the Treasury to go back and issue bonds to reimburse the Treasury for expenses that have been incurred, it seems to me, is unwise legislation and calculated to invite extravagance.

Mr. SMOOT. I will say to the Senator from Kansas that under the act of August 5, 1909, the Secretary of the Treasury has the right now to issue bonds to the amount of \$20,718,000 appropriated in this bill, and there is no necessity for a provision of that kind in this bill, because, as I have said, the Secretary of the Treasury has already that authority, provided the money is used for the construction of the Panama Canal.

Mr. President, if no one else desires to speak upon this subject, I desire to state my point of order.

Mr. BRYAN. I want to say a word before the Senator does that.

Mr. SMOOT. Then, I withhold the point of order.

Mr. BRYAN. I do not intend to argue the merits of this proposition, but it seemed to me that it was not fair to say that this proviso was placed in this bill in order to enable the Treasury Department to issue bonds, because it was in last year's bill in the same language, and I think it has been in sundry civil bills for a number of years past. It seems to me that it does not make much difference whether it remains in the bill or not, because the word "hereafter" will make the provision applicable beyond the year for which the appropriation is made. That language is broad enough to continue that power, it seems to me; and if the Senator is fearful of bonds being issued, why does he not introduce a bill to repeal that provision as contained in the law for the fiscal year 1914?

Mr. SMOOT. I have been thinking of doing that very thing, and I believe it ought to be done just as soon as the canal is completed; but I have not felt up to this time that I would be justified in making an effort to repeal section 39 of the tariff act of August 5, 1909, at least not until we knew what the canal was going to actually cost and was virtually completed.

Mr. BRYAN. I merely want to read the language before the Senator raises his point of order, so as to show that it is not dependent upon the expiration of the year for which the appropriation is made, because it says:

*Provided—*

I am now reading from the act of last year—

*Provided, That all expenditures from the appropriations heretofore, herein, and hereafter made for the construction of the Panama Canal, including any portion of such appropriations which may be used—*

*And so forth.*

It is not limited to any year; the power to issue bonds has been there under the act of last year all the time.

Mr. SMOOT. I do not think so. That applies only to the appropriation bill of that year.

Mr. BRYAN. Then why is the Senator going to introduce a bill to repeal it?

Mr. SMOOT. I did not mean the repealing of that provision; I meant, as I stated, that section 39 of the act of August 5, 1909, ought to be repealed. Now, Mr. President—

Mr. BRYAN. Mr. President, if the Senator will permit me further, I am informed by the clerk of the committee that a similar provision has occurred in every appropriation bill since 1907; so that the fact that it remains in this bill ought not to be taken as warrant for the statement that there is some intention of issuing bonds.

Mr. SMOOT. The act of 1909 in which we provided for bonds was the tariff act. I have just read that provision of the act of 1909, Mr. President.

Mr. BRYAN. I will read to the Senator from the act of 1907:

*Provided, That all expenditures from the appropriation herein made for the Isthmian Canal shall be paid from, or reimbursed to the Treasury of the United States out of, the proceeds of the sale of bonds authorized in section 8 of the said act approved June 28, 1902.*

Mr. SMOOT. That refers to the Panama Canal act of 1902.

Mr. BRYAN. And a similar provision has been in all the appropriation bills covering appropriations for the Panama Canal since 1907.

Mr. TOWNSEND. That provision is not like the one in this bill.

Mr. SMOOT. That is not like this provision at all.

Mr. BRISTOW. Mr. President—

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. In a moment. I merely want to call the attention of the Senator from Kansas, if he is going to speak upon the question, to the fact that that provision is not the same as the provision in this bill. Right here I desire to say that I have just received the information that the amount that has been paid from the general funds of the Treasury in the construction of the Panama Canal has been \$217,785,130.08 instead of \$200,000,000, as I stated from recollection.

Mr. BRISTOW. Mr. President—

Mr. SMOOT. I yield to the Senator.

Mr. BRISTOW. As I understood the provision read by the Senator from Florida, it provided for the sale of bonds to meet the appropriation therein made. I think that is altogether proper.

Mr. SMOOT. Certainly.

Mr. BRISTOW. I do not take issue with him that in the last appropriation bill the same provision was made; but I think it was wrong. I believe, as I said before, that we ought to give authority to sell bonds to secure money to complete the canal, and not have that project depend upon the current revenues; but I do not think it would be right for us to go back, in order to get funds to maintain the Government, to sell bonds and to reimburse the Treasury for those expenditures any more than for any other expenditures.

I desire to withdraw my criticism that this provision has never before appeared, as I now understand it has appeared heretofore, and I will direct the criticism against the method of appropriating not only in this bill but in any previous bill that may have contained the same language.

Mr. BRYAN. Mr. President, I do not think I will quarrel with the Senator on his proposition.

Mr. SMOOT. Then, if that is the case, why not have the Senate disagree to this amendment entirely?

Mr. BRYAN. Mr. President, I do not feel authorized to agree to that. The Senator can make his point of order.

Mr. SMOOT. Well, I make the point of order that the amendment changes existing law. The law to which it refers—

Mr. BRYAN. It does not change existing law, and if the Senator makes the point of order upon that ground—

Mr. SMOOT. If the Senator will wait until I get through stating the point of order, he will be better able to understand the point I make.

Mr. President, the provision changes existing law in this respect, that the act authorizing the Secretary of the Treasury to issue bonds for defraying the expenses of the construction of the Panama Canal specifically states that they may be issued to cover the entire cost of the canal from its inception to its completion. This amendment here goes further than the cost of the canal. It states that bonds may be issued—

For the construction of dry docks, repair shops, yards, docks, wharves, warehouses, storehouses, and other necessary facilities and appurtenances.

It is also general legislation upon an appropriation bill.

Mr. CLARKE of Arkansas. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Arkansas?

Mr. CLARKE of Arkansas. I thought the Senator had yielded the floor.

Mr. SMOOT. I am through.

Mr. CLARKE of Arkansas. Mr. President, the point of order is not well taken at this time, even if it were of substance as originally presented. The rule that governs the presentation of objections in the form of points of order is well defined in the action of the Senate had on January 13, 1881. It is recorded in

the Book of Precedents prepared by Mr. Gilfry, at page 47, as follows:

The Senate having under consideration the Army appropriation bill,  
On motion of Mr. Saunders to amend by inserting:  
"For the erection of a building suitable for offices for headquarters of the Department of the Platte in Omaha, State of Nebraska, \$30,000," etc.

After debate,

Just as debate has taken place here now—

Mr. Beck raised a question of order, viz, that the amendment not having been moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments, was not in order under Rule XXVII of the Senate.

The Presiding Officer (Mr. Hoar in the chair) overruled the question of order, and decided that a question that an amendment was not in order could not be made after debate had proceeded upon the merits of the amendment. (See CONGRESSIONAL RECORD, Forty-sixth Congress, third session, p. 604.)

On the following day, January 14 (Journal, p. 119), when the bill was up for consideration, and the question recurring on the amendment proposed by Mr. Saunders,

Before proceeding to the consideration of the proposed amendment Mr. Withers asked, and by unanimous consent, obtained leave to have the question submitted whether the motion of Mr. Saunders to amend the bill was in order, the amendment not having been proposed in pursuance of an estimate of the head of some one of the departments, and the Presiding Officer (Mr. Rollins in the chair) submitted the question to the Senate, Is the amendment in order?

It was determined in the negative. (See CONGRESSIONAL RECORD, same as above, pp. 624-628.)

It is not in order to debate a question and then propose a point of order that is decisive of it if decided affirmatively. For that reason the Senator has waived his right to raise the point of order.

We have gone along here in disregard of that wholesome rule until it has almost become obsolete; but the more I see of its abuse the more I am satisfied that it is one of the best rules we have, and that it ought to be enforced, and I know of no better case in which to enforce it than the present.

In the first place, the proposed amendment carries out existing law. I say that because section 39 of the act of 1909, which has been read by the Senator from Utah, authorized the issue of \$290,000,000 of bonds for the purpose of paying for the Panama Canal. It never was intended that the cost of constructing the Panama Canal should rest upon the general revenues of the country. It was treated as a special project, and special provision was made for the payment of the necessary expenditures. There grew up a habit of making appropriations payable out of the general-revenue fund, always with the implied condition that whenever the revenue necessities of the Government required the sum thus paid would be reimbursed to that fund by a sale of these bonds.

The Senator from Utah informs us that there have been paid out of the general fund of the Treasury \$217,000,000 of the \$340,000,000 that have been expended. That leaves about \$125,000,000 or \$130,000,000 of the canal bonds that have been sold. It is entirely competent for the Secretary of the Treasury at this time, if in his judgment it should be necessary to do so, to sell a thousand bonds and to reimburse the general fund for the outlays that have been made from time to time. He could do that with perfect propriety, not in view of any failure of revenue but simply because it was so nominated in the bond and was part of the scheme under which that great canal was constructed.

The immaterial amendments made here, including colliers and coaling stations, and a few things of that kind which the Senator read, and which I do not now accurately recall, are not so completely of the substance as to justify us in assuming that it is a wholly different provision. The language in former acts spoke in the terms of a permanent statute. In fact, it was implied in the act of 1909, section 39, that all the funds necessary to construct the canal must be raised by the sale of bonds. Simply as a matter of financial convenience to the Treasury Department or to utilize surplus revenues, without putting the Government to the expense of issuing bonds and thereby paying interest while there was idle money lying in the Treasury, the habit grew up of paying out of current revenues as far as the funds would go the expense of constructing the canal.

I therefore maintain that the point of order is bad, first, because the amendment was debated on its merits before it was presented and next because it simply carries out the provisions of existing law and is justified under our rules.

Mr. SMOOT. Mr. President, the case cited by the Senator is not this case at all. I have not offered an amendment to the committee amendment.

Mr. CLARKE of Arkansas. The Senator debated the amendment on its merits before he presented the point of order against its consideration.

Mr. SMOOT. That is true; but I stated in starting that I intended to make the point of order against the amendment.

Mr. CLARKE of Arkansas. That is just exactly what our rules do not permit a Senator to do.

Mr. SMOOT. I do not know of any rule to that effect.

Mr. CLARKE of Arkansas. This is the rule.

Mr. SMOOT. Mr. President, the case cited by the Senator from Arkansas is a case in which a Senator offered an amendment to the amendment of the committee; and, of course, if there was a point of order made against it, it would be wholly out of order to discuss it. There is no question in my mind about that. The case that the Senator cites is perfectly right and proper under our rules, but there is no amendment offered to this amendment by any Senator. It is the whole committee amendment itself, and to that committee amendment I make the point of order.

Mr. CLARKE of Arkansas. Mr. President, in order that there may be no dispute as to just exactly what the precedent cited by me establishes, I will read it, or at least the operative part of it. The ruling was made by an honored Senator from Massachusetts, Senator Hoar, who was here when I came, and who was recognized as an authority upon parliamentary procedure. The ruling made by the Chair was as follows:

The Presiding Officer (Mr. Hoar in the chair) overruled the question of order, and decided that a question that an amendment was not in order could not be made after debate had proceeded upon the merits of the amendment.

That is what I invoke here and now.

Mr. SMOOT. But I have not offered an amendment.

Mr. CLARKE of Arkansas. I am not talking about what the Senator offered, but he raised a point of order against an amendment, and he can not do that after he has debated the amendment.

Mr. SMOOT. I am perfectly aware that if I had offered an amendment that could not be done; but in the case cited Senator Hoar was perfectly right in his ruling, and so would the Senator from Arkansas, in his contention to-day, if I had offered an amendment to this amendment; but I did not do that.

Mr. CLARKE of Arkansas. I can only say that I can not make the contention I am insisting upon any clearer than I have made it by reading the rule. All the cases differ somewhat in their facts, but the general rule by which they are governed is the same, notwithstanding there may be distinctions of fact arising from time to time. In fact, it rarely ever happens that two cases exactly alike are presented, because in that case there is an instant and complete obedience to the former ruling. What the Presiding Officer decided and what the Senate on a vote affirmed was that after an amendment of any kind, offered by anybody, committee or Senator, at any time had been debated upon its merits, it was too late to raise the point of order that it could not be considered, and that is the question I submit.

Mr. BRISTOW. Mr. President, I want to take issue with the Senator from Arkansas in regard to the matter of issuing bonds upon past expenditures to meet the obligations for which this \$20,000,000 is appropriated. While the Senator from Arkansas has been here much longer than I have, and I would not want to take issue with him, so far as memory goes, my impression has been that the object of providing for this bond issue was to be sure to have funds available for the construction of the canal regardless of the condition the Treasury might be in; and it has been carried on from year to year. Now, when the Treasury has an abundance of funds to meet all of its obligations, this expenditure, as well as any other, I certainly think it would be foolish to resort to issuing bonds; and since the Treasury has been able to meet the demands with a limited issue of bonds, it seems to me that when we make here an appropriation of \$20,000,000 it is all right to continue to carry the provision for issuing bonds to obtain this money; but to carry a provision that will authorize the Secretary of the Treasury to sell the bonds to meet an expenditure that has already been made and settled is unwise, and I do not think it ought to be carried in the law.

Mr. CLARKE of Arkansas. Mr. President, as a matter of fact, there has not been a bond sold for the specific purpose of raising money to construct the canal. In every instance where a sale has taken place it has been to reimburse the Treasury, to supply an approaching deficiency.

Mr. BRISTOW. Is not the Senator mistaken as to that? Are not these Panama Canal bonds a distinct and specific issue that can not be used by the banks as the basis for the issuance of currency? They draw 3 per cent interest, and they are registered and known as Panama bonds, and sold as such.

Mr. CLARKE of Arkansas. That is conceded; but I say that the actual sale of the bonds was not for the specific purpose of raising funds to prosecute the work of construction of the canal, but for the purpose of supplying funds when it was indicated that a deficit was about to take place.

The PRESIDING OFFICER. The Chair is impressed that the point of order raised by the Senator from Utah [Mr. SMOOT] is not well taken. The question is upon agreeing to the amendment of the committee.

Mr. SMOOT. Upon that I ask for the yeas and nays. The yeas and nays were ordered.

Mr. CHAMBERLAIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Gallinger	Overman	Sterling
Brady	Hitchcock	Page	Stone
Bristow	Hollis	Perkins	Sutherland
Bryan	Johnson	Poindexter	Swanson
Burton	Jones	Ransdell	Thomas
Catron	Kenyon	Saulsbury	Thompson
Chamberlain	Kern	Shafroth	Thornton
Clapp	Lane	Sheppard	Townsend
Clarke, Ark.	Martin, Va.	Shively	White
Colt	Martine, N. J.	Smith, Ariz.	Williams
Crawford	Nelson	Smith, Ga.	
Cummins	Norris	Smith, Md.	
Dillingham	Oliver	Smoot	

The PRESIDING OFFICER. Forty-nine Senators have responded to their names. A quorum is present. The question is upon agreeing to the committee amendment on page 186, upon which the yeas and nays have been ordered.

Mr. GALLINGER. Mr. President, before the vote is taken I want to express my surprise that at the hour of 20 minutes past 2 o'clock we should have to waste some time here in getting a quorum. I speak only for myself. I am here under conditions that are not overpleasant; but I feel sure that there ought to be an admonition, particularly from the other side of the Chamber, to Senators as to their duty. The quorum will soon be absolutely broken unless greater effort is put forth to have Senators attend the sessions.

I say this in entire good nature. If I consulted my own convenience or my own comfort, I would not be in the Senate; but I am sitting here hour after hour and day after day, and I wish that we might not be put to the inconvenience and discomfort of extending the hours because of the fact that Senators are absenting themselves when they ought to be here.

The PRESIDING OFFICER. The Chair thinks the words of the Senator are very fit and apropos.

Mr. SMOOT. Mr. President, will the Chair state the question again?

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 186, beginning in line 3, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CATRON (when his name was called). I transfer my pair with the senior Senator from Oklahoma [Mr. OWEN] to the senior Senator from Illinois [Mr. SHERMAN] and will vote. I vote "nay."

Mr. CHILTON (when his name was called). Making the same announcement as on a former ballot, as to my pair and its transfer to the senior Senator from Alabama [Mr. BANKHEAD], I vote "yea."

Mr. CRAWFORD (when his name was called). I have a general pair with the senior Senator from Tennessee [Mr. LEA], who is absent. I therefore withhold my vote for the present.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN] and withhold my vote.

Mr. HOLLIS (when his name was called). I transfer my pair with the junior Senator from Maine [Mr. BURLEIGH] to the junior Senator from Mississippi [Mr. VARDAMAN] and will vote. I vote "yea."

Mr. JAMES (when his name was called). I transfer my general pair with the junior Senator from Massachusetts [Mr. WEEKS] to the junior Senator from Nevada [Mr. PITTMAN] and will vote. I vote "yea."

Mr. JOHNSON (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. GROKNA], which I transfer to the junior Senator from Illinois [Mr. LEWIS] and will vote. I vote "yea."

Mr. STONE (when his name was called). I am advised that if the senior Senator from Wyoming [Mr. CLARK], with whom I have a pair, were present, he would vote "yea," and therefore I feel at liberty to vote. I vote "yea."

Mr. THOMAS (when his name was called). I again announce my pair and withhold my vote.

Mr. TOWNSEND (when his name was called). Again announcing my pair with the junior Senator from Arkansas [Mr. ROBINSON], I transfer that pair to the senior Senator from North Dakota [Mr. McCUMBER] and vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my general pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from South Carolina [Mr. SMITH] and will vote. I vote "yea."

The roll call was concluded.

Mr. CRAWFORD. I transfer my pair with the senior Senator from Tennessee [Mr. LEA] to the junior Senator from California [Mr. WORKS] and vote "nay."

Mr. MYERS. I have a pair with the junior Senator from Connecticut [Mr. McLEAN]. I transfer that pair to the junior Senator from Maryland [Mr. LEE] and will vote. I vote "yea."

The result was announced—yeas 35, nays 24, as follows:

YEAS—35.			
Bryan	Johnson	Pomerene	Smith, Md.
Camden	Kern	Ransdell	Stone
Chamberlain	Martin, Va.	Saulsbury	Swanson
Chilton	Martine, N. J.	Shafroth	Thornton
Clarke, Ark.	Myers	Sheppard	Walsh
Hitchcock	Newlands	Shively	Warren
Hollis	Oliver	Simmons	White
Hughes	Overman	Smith, Ariz.	Williams
James	Perkins	Smith, Ga.	
NAYS—24.			
Borah	Clapp	Kenyon	Poindexter
Brady	Colt	Lane	Smith, Mich.
Brandegee	Crawford	Lippitt	Smoot
Bristow	Cummins	Nelson	Sterling
Burton	Dillingham	Norris	Sutherland
Catron	Jones	Page	Townsend
NOT VOTING—37.			
Ashurst	Gore	Owen	Thomas
Bankhead	Gronna	Penrose	Tbompson
Burleigh	La Follette	Pittman	Tillman
Clark, Wyo.	Lea, Tenn.	Reed	Vardaman
Culberson	Lee, Md.	Robinson	Weeks
du Pont	Lewis	Root	West
Fall	Lodge	Sherman	Works
Fletcher	McCumber	Shields	
Gallinger	McLean	Smith, S. C.	
Goff	O'Gorman	Stephenson	

So the amendment of the committee was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The SECRETARY. The next amendment passed over is at the foot of page 197, where the committee proposed to strike out "\$4" and in lieu insert "\$6," so that if amended it will read:

SEC. 13. That the heads of executive departments and other Government establishments are authorized to prescribe per diem rates of allowance not exceeding \$6 in lieu of subsistence to persons engaged in field work or traveling on official business outside of the District of Columbia and away from their designated posts of duty when not otherwise fixed by law.

Mr. SMOOT. I wish to ask the Senator having the bill in charge if I may present an amendment to this section, to which I called his attention, with a view to perfecting it.

Mr. MARTIN of Virginia. I would be glad to have it sent to the desk and read. It is satisfactory to me.

Mr. SMOOT. Then I send the amendment to the desk, and ask that it be inserted on page 198, line 1, after the word "law."

The PRESIDING OFFICER (Mr. HOLLIS in the chair). The Secretary will read the amendment offered by the Senator from Utah.

The SECRETARY. On page 198, after the word "law," insert:

Provided, That the heads of executive departments and other Government establishments are authorized to prescribe per diem rates of allowance not exceeding \$10 in lieu of subsistence to members of the United States Board of Mediation and Conciliation and United States General Appraisers.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah to the text.

Mr. NEWLANDS. Where does the amendment come in?

The PRESIDING OFFICER. At the top of page 198, after the words "by law," the first two words in the line.

Mr. SMOOT. I will say to the Senator from Nevada that this allows the members of the United States Board of Mediation and Conciliation and also the United States General Appraisers, of whom there are nine, a per diem of \$10 in lieu of subsistence; that is, it is not to exceed that amount.

Mr. NEWLANDS. Will this amendment, in the judgment of the Senator, take the Board of Mediation and Conciliation out of the operation of a similar provision in the urgent deficiency act?

Mr. SMOOT. It will, in my opinion.

Mr. NEWLANDS. I am very anxious to accomplish that object, because I think it would impair very much the work of this board if they were limited to so small a sum. It is well known that the only salaries connected with the Board of Mediation and Conciliation are those of the commissioner and the assistant commissioner. The Board of Mediation and Conciliation consists, in addition to the commissioner and assistant commissioner, of two United States officials, who act without

further compensation than they now receive. One of those is Mr. Justice Knapp, of the circuit court. We all know that the judges of the circuit court on circuit duty away from home are allowed \$10 per day.

It is important that the subsistence of the members of this board should not be limited as provided for in this section. The proceedings of the board require the presence of the board at a hotel. It is the custom for the hotel to give the board, without charge, some large room in which they can hold their councils with the employees and the corporation officials affected, and such a hotel, of sufficient size to furnish such a room, is always a first-class hotel, and it would be impossible to obtain room accommodations for less than four or five dollars a day.

I hope that this amendment will be accepted by the chairman of the committee.

Mr. SHAFROTH. Mr. President, I do not believe that we have ever allowed as high a rate as \$10 per day, and I do not favor the amendment proposed by the Senator from Utah. It seems to me that \$5 per day is a good per diem allowance. If we make the amount too high there will be a tendency on the part of the persons to take the money which is provided here in lieu of subsistence, and they may not spend the money. There ought not to be that temptation presented to anyone.

We ought either to pay the expenses, whatever they are, or limit it so that they shall not exceed a certain amount, but I do not believe that \$10 a day ought to be allowed. All they ask, I understand, is their actual expenses. If they are put to an actual expense of \$10 a day, let it be paid, but I do not believe in putting on the statute books something that will plague us in pretty nearly everything we do in the future in the way of allowance of hotel bills.

Mr. SMOOT. I wish to say to the Senator that the provision is not exceeding \$10 per day in lieu of subsistence, and I also call attention to the fact that this affects only 12 men. There are 9 general appraisers. They are called as far West as San Francisco in deciding questions of dispute which arise as to the classification of goods entering into this country. They are called to large cities only, and they are virtually judges. They can not go to a cheap hotel. Not only that, but they generally have to go to a hotel and have rooms sufficient so that they can have people call on them for consultation.

It does seem to me that this amendment is in order and is a proper one. It does not amount to very much, as I said, because only 12 people will be affected by it.

I think it is not a precedent, because the United States judges are allowed not exceeding \$10 per day, and the work of the general appraisers is of a similar character as that of a judge. They act in a judicial capacity, and when away from home they go to the same class of hotels, and they have just as much expense attached to their travel as the United States judges.

Mr. CUMMINS. Mr. President, I called this matter to the attention of the Senate yesterday while we were discussing the allowance for the commissioners to the Panama-Pacific Exposition. I believe that \$10 a day is more than is required, but I could not understand the inconsistency of giving the commissioners to the Panama-Pacific Exposition, two of whom are already, or will be, in the service of the Government, and the other we provided yesterday shall be outside the service, \$10 a day and reduce the allowance for the expenses of officers like the General Board of Appraisers or the members of the Board of Mediation and Conciliation. I recall to the attention of the Senator from Colorado—and he is a member of the Appropriations Committee—this provision on page 164 of the bill:

Each commissioner detailed as aforesaid shall receive, in addition to his original compensation, necessary traveling expenses and an allowance of \$10 per day in lieu of subsistence.

I do not desire to raise the amount beyond a reasonable sum. I think \$10 a day is more than any man needs to expend in his living expenses. But what is the justification for giving \$10 a day to the Panama-Pacific Exposition commissioners and limiting these other high officers to a lower sum? I think equality is one of the great virtues of any law. I see no reason for the discrimination here, although I would be very much opposed to raising the limit of all the officers who may travel to \$10 a day. I am in favor of cutting down the allowance to the Panama-Pacific commissioners.

Mr. PAGE. I should like to interrupt the Senator from Iowa.

Mr. CUMMINS. I am glad to yield to the Senator from Vermont.

Mr. PAGE. I should like to ask the Senator if we are not establishing a precedent which will vex us later on by making an allowance of \$10 for subsistence?

Mr. CUMMINS. Personally I think we are. I do not believe there ought to be any specific sum allowed. I think these people who are working for the Government should be paid a reasonable compensation and whatever reasonable expenses they incur in the prosecution of their work. That is the logical, equitable way in which to adjust these matters. We all know that a maximum fixed in the statute becomes the minimum amount paid for the object, whatever it may be.

Mr. PAGE. It seems to me, Mr. President, that rather than establish a practice of this kind I would prefer, out of my own pocket, to pay a part of it myself. We ought to be a nation of fairly decent economists, and to establish this kind of a precedent, it seems to me, would go out to the country in such a way that they will properly criticize it. I wish that the amount might be reduced or, as the Senator suggests, that it be left to actual expenses and leave it in that way.

Mr. CUMMINS. All the Government employees are not as altruistic and generous as the Senator from Vermont, nor possibly are they so able to be contributors to the public expenses as is the Senator.

Mr. SMOOT. Will the Senator yield?

Mr. CUMMINS. Yes, sir.

Mr. SMOOT. May I ask the Senator if he thinks \$8 a day would be a more satisfactory amount? If so, I am perfectly willing to modify my amendment and make it \$8.

Mr. CUMMINS. I think it ought not to be more than \$8 per day.

Mr. SMOOT. Then, Mr. President, I will modify my amendment and make it \$8 instead of \$10.

The PRESIDING OFFICER. The Senator from Utah modifies his amendment by substituting "\$8" for "\$10."

Mr. COLT. Mr. President, for many years the Government has allowed the judges not to exceed \$10 a day when they go outside of their own districts or circuits. It would depend a good deal upon where these men travel. My public duties called me to Boston almost entirely, and \$10 a day living in Boston at a first-class hotel is not an excessive allowance; it is a reasonable allowance. Of course \$8 would be something perhaps that one would have to think about several times before exceeding the expenditure. Of course in other parts of the country it might be different, if you went to smaller places but these men are called to the larger cities, and they are obliged to spend the night there.

From my long experience, I should say that not exceeding \$10 a day would mean \$10, and it is not excessive, although the rule will be perhaps \$5 or \$6 a day in other places. If these men are to be relieved entirely from pinching matters, \$10 would not be excessive, but it would depend entirely upon the localities where they went. Perhaps under all the circumstances, taking the country over, \$8 a day would be fair.

Mr. THOMAS. Mr. President, I can not forbear the temptation to express my gratification upon the announcement of the Senator from Vermont [Mr. PAGE] that he is in favor of economy now. A few moments ago I labored under the impression that he believed in only necessary expenditures, among which were \$250,000 for a monument somewhere up on the shores of Lake Champlain. Of course, the Senator's conversion to economy comes after he obtained his own appropriation, and perhaps that may have something to do with it. But I recognize in the present amendment that form of economy which most Members of this and the coordinate body of Congress are indulging in. We must cut down the necessary expenses of the average servants of the Government, and by that means we can pair off here and there and yonder which those who are affected by such a measure must make up out of their meager salaries. By that means we can get enough to build a monument to commemorate a great historical occasion and contribute to the patriotic feeling of this and succeeding generations. I imagine that that is the extent to which the economy is to go during the present Congress.

Mr. NEWLANDS. Mr. President, I had inserted in the Record yesterday a letter to the chairman of the Committee on Appropriations from the commissioner of the Board of Mediation and Conciliation, but it was not read, and, with the indulgence of the Senate, I will read a few extracts from the letter. After stating that the two other members of the board are United States officials, without other salaries than those which they receive by reason of their office, the commissioner goes on to say:

In connection with the work of mediation, it is necessary always to have a suitable room for the conferences with the parties to the controversy; and so far such accommodations have been furnished gratis by the hotels at which the mediators have stopped. In order to come within the \$5 limitation of expenses for subsistence, it would be necessary in most cases for the mediator not only to secure hotel accommo-

dations in a less convenient location, involving loss of time in getting into touch with the parties to the case and in carrying on negotiations, but also to hire a room for conferences, which in itself would cost more than the entire expenses for subsistence at present.

Cases come to this board only after the railroads and their employees have exhausted every other means of composing their differences, and when the controversy has reached a critical point, threatening to terminate in a strike and consequent stoppage of operation and inconvenience to the public. It is imperative that the mediator act quickly and get promptly into touch with the railroad officials on the one hand and the committee of the employees on the other. It is believed that the limitation in expense of subsistence would prove a serious handicap to this work, and that in the end the cost of mediation would thereby actually be increased.

The writer goes on to state that these mediation sessions are always held in large cities, and he also states that the smaller hotels have not the large rooms or the large room that is necessary for their council, and that it is a custom of the first-class hotels to furnish that room free of charge. So he anticipates that if they are compelled to pay for their subsistence at an inferior hotel no room of the requisite size exists and they will be compelled to pay for the large room they now secure for nothing, and the worth of the room in some cases is, according to his statement, \$50 a day.

Mr. WARREN. Will the Senator allow me? The amendment which is offered provides for the particular board which the Senator is speaking of \$10 a day. I do not think we have provided sufficiently for the representatives of the Interstate Commerce Commission, the attorneys of that body, who are sent over the country for examinations and hearings. I presume that the Senator, like myself, is somewhat in the dark as to what they may draw. Of course I do not wish to discuss it now, but I think at some time we will have to go over the whole per diem in lieu of subsistence situation. We are now allowing or paying to some \$3, to some \$4, to some \$5, to some \$6, and to others \$10. I think there ought to be some fixed scale in the matter of which the Senator is directly speaking. If this amendment carries, I think it should be so that it will cover the board of mediation and conciliation and representatives of the Interstate Commerce Commission at \$10 a day.

Mr. NEWLANDS. That would cover it very satisfactorily, but I understand the Senator from Utah has consented to a reduction to \$8 a day.

Mr. SMOOT. Yes. After reading the letters that I have received from a number of general appraisers and other parties I figure from what they say that they could in most cases get along with \$8 per day, but nothing less. I want to say frankly that it ought to be \$10 a day, but rather than have any dispute in the Senate and to have the matter finally decided without any special opposition I think it would be best to make it \$8 a day, and let it remain at that rate.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

Mr. SHAFROTH. I desire to amend the amendment offered by the Senator from Utah by making it read, instead of "in lieu of subsistence," "actual hotel expenses not exceeding \$8 per day."

I think that nothing ought to be "in lieu of subsistence," because if you allow that and they stop with a friend they would be entitled to \$8 a day. It ought to be actual money paid out.

Mr. SMOOT. I will say to the Senator that in a number of our laws we say "in lieu of subsistence," and I do not believe we ought to make any particular change in this one instance. We are following the exact language of almost all such provisions in all our laws.

Mr. HUGHES. Is it not also true that the departments object to the law as it would be if amended by the Senator from Colorado, on account of the expense of the accounting and the inconvenience?

Mr. SMOOT. Yes; I remember that that question was raised. I hope the Senator from Colorado will not press his amendment.

Mr. SHAFROTH. Still there is not any question about it that if a person goes and stays with a friend he still would be drawing from the Government \$8, although not paying out a cent.

Mr. SMOOT. If he was a dishonorable man perhaps—

Mr. SHAFROTH. No; it allows him here in lieu of subsistence.

Mr. OLIVER. Sometimes it is more expensive to stay with a friend than it is to stay at a hotel.

Mr. GALLINGER. Let the amendment be again read.

Mr. SHAFROTH. I withdraw the amendment.

The PRESIDING OFFICER. The amendment to the amendment is withdrawn. The Secretary will read the amendment offered by the Senator from Utah.

The SECRETARY. At the top of page 198, after the word "law," in line 1, insert the following proviso:

*Provided*, That the heads of executive departments and other Government establishments are authorized to prescribe per diem rates of allowance not exceeding \$8 in lieu of subsistence to members of the United States Board of Mediation and Conciliation and United States General Appraisers.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. OLIVER. The committee amendment has not yet been adopted.

The PRESIDING OFFICER. Not yet. The question is on agreeing to the amendment of the committee on page 197, line 23, to strike out "\$4" and insert "\$6."

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The SECRETARY. The next amendment was passed over at the instance of the Senator from New Hampshire [Mr. GALLINGER]. It is on page 198, to insert the following proviso, beginning at line 4:

*Provided*, That internal-revenue agents appointed under the act of October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," shall receive compensation of not to exceed \$7 per day, and for per diem in lieu of subsistence when absent on duty from their legal residence said agents shall receive, at a rate to be fixed by the Secretary of the Treasury, not exceeding \$3 per day, and that internal-revenue inspectors appointed under said act of October 3, 1913, shall receive compensation of not to exceed \$5 per day, and for per diem in lieu of subsistence not exceeding \$3 when absent on duty from their legal residence, compensation and per diem in lieu of subsistence to be fixed by the Secretary of the Treasury.

Mr. GALLINGER. Mr. President, I have no desire to discuss the amendment.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Iowa?

Mr. GALLINGER. I simply rose to say that I am quite ready to have the amendment acted upon by the Senate without discussion on my part.

Mr. CUMMINS. I desire a little more information in regard to this particular amendment than I now have. It provides that internal-revenue agents appointed under the act of October 3, 1913, which is the general tariff law of last year, "shall receive compensation of not to exceed \$7 per day, and for per diem in lieu of subsistence when absent on duty from their legal residence said agents shall receive, at a rate to be fixed by the Secretary of the Treasury, not exceeding \$3 per day."

I think the compensation here provided for these agents is altogether too high, and unless the chairman of the committee or some member of the committee can disabuse my mind of that impression, I shall have to present an amendment to the committee amendment.

Mr. OVERMAN. I will say to the Senator from Iowa that this is exactly the provision, in words and terms, which was passed in the tariff law, except that it changes the words "legal residence" to the words "in lieu of subsistence when absent on duty." The way it read there was "official residence." Income-tax collectors are frequently assigned to New York and Chicago, and their official residence is there temporarily. They are there, say, for 30 days, whereas their legal residence might be in Iowa. While their residence is in Iowa, they do not get the compensation at all; but when they are designated to go to Chicago and remain there for 30 days, the department thinks they ought to have compensation, although they are not traveling all the time; that if they are designated to go to Chicago and stay, they ought to have \$5. Making it read "absent on duty" instead of "legal residence" is about the only change in the law.

Mr. CUMMINS. I understand that; I am not objecting to subsistence; but the Senator from North Carolina will remember that the authority of the Secretary of the Treasury was very much enlarged in so far as the employment of these agents is concerned, and a great many men, I assume, have been taken into the service who were formerly not necessary. Does the Senator from North Carolina think that the work which these agents now perform is worth \$7 a day and that the work of the traveling inspectors is worth but \$5 a day?

Mr. OVERMAN. The \$7 a day men are men who travel about examining corporations and persons where evidence has come to the department that they are dodging the law. These \$7 a day men are very expert men. There are only 48 of them, I think, in all. The \$5 a day men are locally situated in the cities at the collection offices, and they get exactly the same compensation that deputy collectors get; but the \$7 a day men

must be thoroughly acquainted with business; they must be qualified to examine the books of the companies and all the matters relating to the income tax, and they must be very efficient men.

Mr. GALLINGER. Who determines, I will ask the Senator, their expertness or their capacity for this work?

Mr. OVERMAN. That is left to the appointing power. We have to rely on that.

Mr. GALLINGER. Is the Senator sure that the men appointed belong in that class?

Mr. OVERMAN. In my State they are of that class. I do not know how they are in the Senator's State.

Mr. GALLINGER. I think it would be well to look into it a little.

Mr. OVERMAN. That might be. That is a question for the appointing power.

Mr. CUMMINS. How many of them have been appointed since the tariff law went into effect?

Mr. OVERMAN. I understand of the \$7 a day men there are about 40.

Mr. CUMMINS. They are the men who have been appointed without an examination, and we have no knowledge that they are men of skill or training. Why are they paid \$7 a day?

Mr. OVERMAN. They are paid exactly the same as the other revenue agents are paid.

Mr. CUMMINS. But formerly I assume they had very few of them, because there were but few prior to the tariff act of last year.

Mr. OVERMAN. Yes; there are a great many of what are known as internal-revenue agents. They get \$7 a day. Their compensation is exactly what the internal-revenue agents get.

The revenue agents get \$7 a day and \$3 a day in lieu of subsistence. The income-tax inspectors get exactly the same; that is, their salary is fixed by the tariff act. The deputy collectors, doing the same work heretofore, have been getting \$5 a day and \$3 a day in lieu of subsistence, and the income-tax collectors locally situated are getting exactly the same salary.

Mr. CUMMINS. What is the difference between the work of one of these traveling agents and the work of a traveling inspector?

Mr. OVERMAN. A traveling inspector is an inspector in a State who goes around from point to point and acquaints people with what they have to do in making their returns, who assists them in making their returns; and some of them in the office are receiving such returns and doing the bookkeeping. They act as do the deputy collectors.

Mr. CUMMINS. Are they called deputy internal-revenue collectors?

Mr. OVERMAN. No; they are not; but they are put on the same salaries as are the deputy collectors of internal revenue, and do practically the same work in the internal-revenue business as do the collectors of internal revenue.

Mr. CUMMINS. Why are they not called "deputy revenue collectors" then?

Mr. OVERMAN. I can not answer that. The tariff law was framed in that way; but I do not know why; it has not been changed, and they were called deputy collectors; others are called inspectors. They get \$5 a day, and are confined to the States. For example, the Senator might have two of them in Iowa—one of whom takes the western part of the State and the other the eastern part of the State, and looks after the income tax there. The general inspector, for instance, goes to Chicago, but to-morrow he may be called to San Francisco or to Boston to examine the books of a corporation or of a company or of an individual, if necessary.

Mr. CUMMINS. What is he called?

Mr. OVERMAN. He is called the general agent, and he gets \$7 a day, the same salary as the internal-revenue agent gets. They are both called agents.

Mr. WHITE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Alabama?

Mr. CUMMINS. I yield.

Mr. WHITE. I should like to inquire of the Senator from North Carolina what is the necessity for inserting the word "legal" in describing the kind of residence?

Mr. OVERMAN. If the Senator was appointed from Birmingham, that would be his legal residence, and he is not entitled to subsistence when he is in Birmingham, which is his home.

Mr. WHITE. Is that not simply his residence?

Mr. OVERMAN. That is his residence.

Mr. WHITE. Why, then, insert the word "legal"?

Mr. OVERMAN. That was done by the department. I suppose they thought that was a better word than "official." The

language formerly was "official residence." The consequence was that the agents could not get any allowance when they were sent to Chicago, for instance.

Mr. WHITE. I will inquire of the Senator from North Carolina, if one of these agents should be appointed from the District of Columbia and lived here, his legal residence being in one of the States, would not he be entitled to pay all the time, he being absent from his legal residence all the time?

Mr. OVERMAN. He would be entitled to pay whenever, for example, he was called away from the District of Columbia to examine books. He is then entitled to his extra compensation, and he ought to have it.

Mr. WHITE. But his legal residence is not in the District of Columbia?

Mr. OVERMAN. He would not draw subsistence if he lived here.

Mr. WHITE. But if his legal residence is not in the District of Columbia, but in one of the States, he could get the subsistence.

Mr. OVERMAN. He would not live here. That would be supposing a case that would be impossible. If he votes in Alabama and has a legal residence there, he could not get any per diem; but if he is designated to come from his home State here for a month—they never stay at home; at least, not very long—or if he is to go and stay a month in San Francisco, he would be entitled to subsistence. That is the distinction.

Mr. WHITE. The Senator from North Carolina does not get my idea.

Mr. OVERMAN. I am sorry.

Mr. WHITE. I am sorry I have not been able to make it more intelligible; but, as I understand it, people who live in the District of Columbia have their legal residence in the States.

Mr. OVERMAN. Some do and some do not.

Mr. WHITE. I know that generally when they ask for an appointment to office they have to state that their legal residence is in the State from which they originally came, and must obtain a certificate to that effect.

Mr. OVERMAN. A great many people under the civil-service law claim that they have a legal residence in my State who never saw the State.

Mr. WHITE. What I intended to suggest was this: If I am correct, the agent would have a legal residence in the State of North Carolina, but his actual residence would, in fact, be in the District of Columbia.

Mr. OVERMAN. That would be impossible. These agents do not and can not live here.

Mr. WHITE. But they do in fact live here and are here when appointed.

Mr. OVERMAN. No; they are appointed from the States. If they are appointed from here this would be their legal residence.

Mr. WHITE. The point I am making is that while they actually live here their legal residence is in the State from which they came when they came here.

Mr. OVERMAN. That is the way the department construes it.

Mr. WHITE. Their legal residence is in the State from which they came.

Mr. OVERMAN. If they are appointed from the District of Columbia the department recognizes the fact that that is the place from which they are appointed, and it is their legal residence.

Mr. WHITE. I think the word "residence" covers everything that is necessary.

Mr. OVERMAN. Or "official residence."

Mr. WHITE. But would not the word "residence" be sufficient?

Mr. OVERMAN. "Residence" would not; and that is the very point we are talking about. His official residence would be in Chicago for a month. There is where he is officially designated to go; but we are drawing a distinction between "residence" legally and "residence" officially. That is all there is in it.

Mr. WHITE. My view is that the agent appointed from the District of Columbia would be away from his legal residence, which is in some State, all the time when he is in office, and would therefore draw this subsistence all the time, because he is not at his legal residence, the District of Columbia not being his legal but his actual residence.

Mr. HUGHES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield?

Mr. CUMMINS. I yield.

Mr. HUGHES. The Senator from Alabama is assuming now that certain of these agents are appointed from the District of Columbia. I confess that it seems to me there might be some-

thing in his point. The District of Columbia is in some internal-revenue district, is it not?

Mr. OVERMAN. Of course, Mr. President, they have the income tax here, and it is in some district. I do not think you will find a man here appointed from the District of Columbia, though there are 300 officials in the internal-revenue office here in this revenue district.

Mr. HUGHES. I am not talking about them. The District of Columbia is in some internal-revenue taxation district, and undoubtedly would have one or two of these agents appointed from its internal-revenue taxing district. The District man would be domiciled here, but he may have a legal residence, as the Senator says, in the State of Alabama, in the State of Georgia, in the State of Iowa, in the State of New Jersey, or elsewhere, and the question might arise as to whether or not you intended to pay a man while away from his legal residence.

Mr. OVERMAN. Nine-tenths of them, every one of them, I may say, are appointed from some legal residence—New Jersey, Alabama, North Carolina, or wherever it may be. This is to correct a wrong arising from the use of the term "official residence."

Mr. MARTIN of Virginia (to Mr. OVERMAN). Strike out the word "legal."

Mr. OVERMAN. No; I could not do that. What residence would it mean then? How would the Senator fix it?

Mr. HUGHES. The Senator from Alabama [Mr. WHITE] suggested the striking out of the word "legal."

Mr. OVERMAN. If you just say "residence," what do you mean—"legal residence" or "official residence"?

Mr. WHITE. That means his actual residence.

Mr. OVERMAN. That is the very thing the department asked me to correct in this proposed law, because whenever a man was designated to go to Chicago for a month they said under the law he could not get his subsistence there, although he was a thousand miles from home. That is what the comptroller ruled, and we are trying to correct that defect in the law.

Mr. HUGHES. Take the case of a man who is appointed to one of these places who is now actually residing in the District of Columbia. He has his legal residence in the State of Georgia, but he is working here in the District of Columbia.

Mr. OVERMAN. That is not a supposable case.

Mr. HUGHES. This is where his home is. Is that possible under the law? I do not know.

Mr. SMOOT. The trouble with the Senator is that the man will not be working in the District of Columbia. I want to say to the Senator that these internal-revenue inspectors and also the agents under the provisions of this amendment are on the road nearly all the time. It may be that during the holidays, under a leave of absence, they may come home for a week or so; but that is all.

Mr. HUGHES. It must be true, however, that under the law, as it appears to me, there must be a time when these gentlemen are at home and not entitled to this compensation. Otherwise you might as well pay it to them all the time.

Mr. SMOOT. They are generally home during their leaves of absence.

Mr. HUGHES. In that case would it not give a man who is in the peculiar position of actually residing in the District of Columbia and working in the internal-revenue district of which the District is a part an advantage over another man because of the fact that he has a legal residence which he never visits under any circumstances, so that he is always away from his legal residence and always entitled to receive this additional compensation or per diem?

Mr. SMOOT. I can not see how that could be so, Mr. President.

Mr. OVERMAN. I can not imagine it.

Mr. SMOOT. I can not imagine a case of that kind.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. The Senator from Iowa has the floor. Does he yield to the Senator from New Hampshire?

Mr. CUMMINS. Does the Senator from New Hampshire desire to address the Senate?

Mr. GALLINGER. I merely desire to make an observation.

Mr. CUMMINS. I yield to the Senator.

Mr. GALLINGER. I was about to remark, Mr. President, that Senators need not worry about these men being residents of the District of Columbia. The District of Columbia has no Senators and no Representatives in the other body, and these are political offices for Senators and Representatives from the States to take care of; and they have taken care of them outside of the civil-service law, a fact which I regret.

Mr. WHITE. Mr. President, I should like to suggest to the Senator from New Hampshire that the people who are living

here make just about as many calls on Senators as any other persons can do upon the idea that they have a legal residence in some State. So that it really does not affect the situation.

Mr. GALLINGER. Some of them do, undoubtedly; they make demands; but they do not exhibit much reciprocity so far as the interests of their States are concerned at election time.

Mr. WHITE. I do not know about that.

Mr. CUMMINS. Mr. President, I am addressing myself to another point.

The PRESIDING OFFICER. The Senator from Iowa has the floor and declines to yield further.

Mr. CUMMINS. Mr. President, I hope that the objection just suggested by the Senator from Alabama will be considered, for I think there is very much weight in his suggestion respecting the construction of the committee amendment. However, I do not attack the amendment upon that ground. I was very much opposed to the provision in the income-tax law of 1913. I thought then and I think now that it represented an effort to overcrowd the Treasury Department with the political friends of the administration, and I regretted very much to see the invasion then made upon the civil service. I feel that it is my duty to do what little I can to render the places filled in that manner as unattractive as possible.

The income-tax provision of the tariff act of 1913 was rather a remarkable performance in this respect. Among other things, it said:

The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized to appoint and pay from this appropriation all necessary officers, agents, inspectors, deputy collectors, clerks, messengers, and janitors and to rent such quarters—

And so forth.

Without any limitation whatsoever; and I assume there is no limitation in the law at this time. The Commissioner of Internal Revenue can appoint not only whomsoever he pleases but as many as he pleases; and Congress has not attempted, save by a bulk appropriation, to restrict his liberty or power in that regard.

Then the act further provided:

That for a period of two years from and after the passage of this act the force of agents, deputy collectors, inspectors, and other employees, not including the clerical force below the grade of chief of division employed in the Bureau of Internal Revenue in the city of Washington, D. C., authorized by this section of this act, shall be appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, under such rules and regulations as may be fixed by the Secretary of the Treasury to insure faithful and competent service

I do not believe that employees so appointed should receive the compensation that is here provided, and this amendment of the committee relates only to the employees appointed under the act of 1913, part of which I have just read. For these reasons I move to strike out, in line 9, the numeral "7" and insert "5."

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In the amendment of the committee on page 198, in line 9, it is proposed to strike out "\$7" and insert "\$5."

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

The amendment to the amendment was rejected.

Mr. CUMMINS. I move to strike out, in line 14, page 198, the numeral "5" and insert "4."

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment on page 198, line 14, it is proposed to strike out "\$5" and insert "\$4."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa to the amendment reported by the committee.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now recurs on agreeing to the committee amendment on page 198.

The amendment was agreed to.

Mr. CUMMINS. Mr. President, I inquire if the committee amendments have now been disposed of?

The PRESIDING OFFICER. The committee amendments have been disposed of, so far as they are printed in the bill.

Mr. MARTIN of Virginia. Mr. President, if the Senator from Iowa will excuse me a moment, I desire to offer two amendments, neither one of which perhaps can be called a committee amendment, but I feel that the amendment which I now send to the desk ought to be presented practically as a committee amendment. I ask the Secretary to read the amendment, and then I will briefly explain it.

The PRESIDING OFFICER. The Secretary will state the amendment.



The SECRETARY. On page 100, after line 2, it is proposed to insert:

For the protection of lands involved in Oregon & California Railroad forfeiture suit: To enable the Secretary of the Interior, with the cooperation of the Secretary of Agriculture or otherwise, as in his judgment may be most advisable, to establish and maintain a patrol to prevent trespass and to guard against and check fires upon the lands involved in the case of the United States against Oregon & California Railroad Co. et al., suit No. 3340, in the district court for the district of Oregon, now pending on appeal in the circuit court of appeals for the ninth circuit, \$25,000.

Mr. MARTIN of Virginia. Mr. President, the communication from the department to the Committee on Appropriations in regard to this matter was only received to-day, so that the committee has had no opportunity to consider the amendment.

It seems that the Government brought suit to forfeit some land in the State of Oregon which had been granted to a railroad corporation, and the district court decided the suit in favor of the Government. It not only decided that the lands belonged to the Government, having been forfeited to the Government by the railroad company, but that the railroad company had no longer any right to enter upon those lands or interfere with them in any way whatever. So that now there are over 2,000,000 acres of land—decided by the district court to be the land of the United States—which are entirely without protection. The department therefore recommends that \$25,000 be appropriated to enable them to protect those lands from depredation and fire. It seems to me to be a matter of urgent importance. It was so represented by the department, and I ask the Senate to adopt the amendment.

Mr. WARREN. In the meantime I understand the suit has been carried to the higher court.

Mr. MARTIN of Virginia. It is now pending on appeal, but the railroad company have abandoned the lands, which are without protection. More than half of the acreage is fine timberland, which is subject to destruction by fire and is at present without any protection whatever. I think the Government can well afford to appropriate the small sum of \$25,000 for the protection of this land pending this litigation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia.

The amendment was agreed to.

Mr. MARTIN of Virginia. There is one other small amendment which I will present. It is in no sense a committee amendment. I send it to the Secretary's desk, and ask that it be read.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 166, after line 11, it is proposed to insert:

Exposition to celebrate the fiftieth anniversary of the emancipation of the negro and his achievements since emancipation: For expenses of an exposition to be held at or near Richmond, Va., in the year 1915, to celebrate the fiftieth anniversary of the emancipation of the negro and to show the progress, advancement, and achievements of the negro race in education and in the industrial work of the country, \$55,000: *Provided*, That the expenses thereunder shall be paid by the Negro Historical and Industrial Association of Richmond, Va., under the direction and supervision of the governor of the State of Virginia.

Mr. MARTIN of Virginia. Mr. President, I simply want to submit this matter to the sense of justice and the generosity of the Senate. It comes in a somewhat irregular way, but it has appealed to me very strongly. I live in the South, and have lived among the negro population all my days. I know them and I know their weaknesses and their strong points. They have many strong points, and they have accomplished a great deal. They have been struggling against the most difficult circumstances; and I think that they have made a progress that is almost astounding, considering the opportunities which they have had. They wish to celebrate their achievements during the 50 years of their freedom.

The Negro Historical and Industrial Association appeal to the Senate to give them this appropriation. The governor of Virginia writes me a most urgent letter appealing to me to ask the Senate to give this \$55,000 to the negro population for the purpose of holding an exposition to celebrate their emancipation, their achievements, and the progress they have made in education, in industrial enterprise, and in the work of the world in all respects. I think it is a matter that ought to appeal to the more fortunate and stronger race. It appeals to me as a Virginian to hold out a helping hand to these people who have been struggling against disadvantages, and who have made immense forward strides which commend them to the kindness of the white race. I sincerely hope that the Senate will, in its generosity toward these people, donate the small sum of \$55,000 to aid them in the plans they have made for holding this exposition.

Mr. GALLINGER. Mr. President, I ask the Senator from Virginia if he would not be willing to strike out the words "in

the South," where the amendment refers to "the progress, advancement, and achievements of the negro race in the South."

Mr. MARTIN of Virginia. I am willing to do that if it is desired; but, as I understand, the exposition is really to be in celebration of the achievements of the negroes of the South. I inserted those words with a purpose. The South is the place where the struggle has been made, where the large negro population is found, and where it is supposed they have had fewer advantages than in the North, with its much more scattered population of negroes. I want the celebration to show to the world what the negro has done in the Southern States, in Virginia particularly, for it will not be patronized very largely, I am afraid, outside of Virginia.

Mr. WHITE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. MARTIN of Virginia. Certainly.

Mr. WHITE. It is intended really, as I understand, for the benefit of the ex-slaves?

Mr. MARTIN of Virginia. Fifty years have elapsed since the close of the war, and of course there are not many ex-slaves.

Mr. WHITE. Well, the descendants of the slaves—to show what they have done?

Mr. MARTIN of Virginia. Yes. As I understand, the exposition is designed to show the advance made in the southern States, where the negro has made his struggle. I do not hesitate to say that he has accomplished wonderful results, of which his race may be proud and of which the white people ought to be proud. The white people of the South are as anxious to see the negro advance in all legitimate lines as are the people of the North or the people of any country anywhere.

Mr. GALLINGER. Mr. President, I will not offer an amendment to the amendment, and yet it occurs to me that there are a great many of these people who have gone from the South to the North, where they have also achieved great results, and for that reason I thought it might not be well to confine it to any particular section of the country.

Mr. MARTIN of Virginia. In view of the Senator's suggestion, while I do not think it is material, for, as I understand, the proposed exposition is to exemplify the progress of the negro in the South rather than any general progress, I will ask that the words "in the South" be eliminated from the amendment.

Mr. GALLINGER. I thank the Senator; I think it is desirable that that should be done.

Mr. MARTIN of Virginia. Mr. President—

Mr. LEWIS. Mr. President, if I may interrupt the Senator, I should like to express my appreciation of his acceding to the suggestion of the Senator from New Hampshire. I beg to inform the Senator that I am in receipt of a communication from Gov. Dunne, of the State of Illinois, asking that I likewise submit to this honorable body the advisability of granting this appropriation. I myself wish to speak for those particular negroes of the State of Illinois who are anxious to have a celebration of the events referred to by the Senator from Virginia, and an exposition to show what advantages they have accrued to themselves as the result of their industrious efforts. They would like to celebrate at Springfield, the home of Abraham Lincoln; and if there is anything in the amendment that would limit the appropriation so that they can not celebrate at Springfield, Ill., I should like to have it eliminated, in order that they may have an opportunity to celebrate as they desire.

Mr. MARTIN of Virginia. It has been eliminated, so that it will be open for all.

Mr. LEWIS. I appreciate the action of the Senator.

Mr. MARTIN of Virginia. Mr. President, I will say that I have a letter from a colored lawyer in the city of Richmond, a man of character and intellectual force, which I should like to have printed in the RECORD, but which I will not ask to have read. It is an excellent letter, and he presents the case in a most respectful and in a most intelligent way.

The PRESIDING OFFICER. In the absence of objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

THE NEGRO HISTORICAL AND INDUSTRIAL ASSOCIATION,  
Richmond, Va., July 7, 1914.

HON. THOMAS S. MARTIN,  
Senate Chamber, Washington, D. C.

DEAR SIR: Again referring to the communication of the Negro Historical and Industrial Association, bearing date on the 6th day of April last, in which they submitted that the said association was formed under the laws of Virginia for the purpose of holding an exposition and celebration of the fiftieth anniversary of the achievements of the negro since his emancipation, said exposition to be held near the city of Richmond.

Since our last communication the association has purchased 100 acres of land at Fort Lee, on the Chesapeake & Ohio Railroad, 5

miles below this city, for the purposes indicated. We have received the encouragement of the white people throughout the city, including the governor and others high in authority. We wrote asking if you would give us an appropriation of \$55,000 from the Government, to be expended by the governor of Virginia upon such objects as may be agreed upon by him and our said association. The righteousness of our cause had stimulated us to feel the assurance that we would receive the appropriation through your good office by presenting our petition, as we did on the 6th day of April last, and had hoped that you would see your way clear to insert the item in the sundry civil bill reported to the Senate yesterday, or some other bill most appropriate for such an appropriation, or through such other mode as to you may have seemed best. Now, as the Congress seems to be nearing the end of its present session and our anxiety being so great to secure aid from the Government, if we would not appear too persistent we would respectfully ask whether it is possible to grant our petition at this sitting of Congress. If we appear too persistent, we beg that you charge it to the head and not to the heart; and if we appear annoying, we ask that you will pardon us, as there is no one else for us to appeal to. Then, again, we are anxious for the appropriation and anxious for you to become interested in our cause, as we have no representative other than yourself, and hope you will grant our prayer, as it is seldom that the colored man asks for anything at the hands of the Government. We do not ask for political office, neither do we expect to receive any. We content ourselves by simply asking for an appropriation to help us make an exhibition to show to the world our capacity as producers and evidence of our thrift and progress, that the world may better understand the true worth of the southern negro and that our race is not predominated by the shiftless element. Such an exposition as we propose to have will show to our white friends the solution of the negro problem and will stimulate and encourage the shiftless negro to imitate those of the race who are making progress. After the exposition we propose to maintain an experimental farm to teach the young negroes how to become good farmers, as the land we own is eminently suited for such purpose, and to maintain a permanent exhibit of the negro's industrial achievements and to maintain an industrial school, something similar to the one conducted by Booker T. Washington at Tuskegee, Ala.

Another reason why we ask that you look after our interest is because 10 days after we applied to you for the appropriation a bill was introduced, on the 16th day of April, in the House of Representatives by Mr. MADDEX, of Illinois, bearing No. 15733, a copy of which is here inclosed, asking for the appropriation of \$150,000 to aid the colored people of Illinois in holding an exposition at the city of Chicago for the same purpose that our association is endeavoring to carry out. While we have nothing to say against the colored people of Illinois, we must call attention to the fact, which is admitted by them in their circular here inclosed, that nearly all the progress that has been made by the negro since the war has been made in the South. Then why should we be put to the expense of hauling our products to Chicago, when we can exhibit the same in the South, at Richmond Va.? In other words, why should "the mountain be carried to the potato hill instead of the potato hill being brought to the mountain"? The fact that the colored men played such a conspicuous part in politics in Illinois, perhaps their representatives will press their claim, and should they get their appropriation, I am afraid it will defeat us entirely. Therefore you will see why we are so persistent and urgent upon you to help us secure our appropriation. It is evident that these people never thought of asking for a Government appropriation until after we had made such application. Although we asked for nearly two-thirds less than what they asked for, we feel that we can make a creditable exhibit with that amount, as shown by our plans here inclosed.

We beg that you pardon us for such a lengthy letter, and hope it will serve the purpose for which it is written.

Hoping a favorable reply, I am,

Very respectfully,

GILES B. JACKSON.

Mr. VARDAMAN. Mr. President, I should like to ask the Senator from Virginia if the State of Virginia is contributing anything to this celebration?

Mr. MARTIN of Virginia. I think not. I think no doubt there will be private contributions, but the State of Virginia has not taken the matter up.

Mr. VARDAMAN. When is the celebration to take place?

Mr. MARTIN of Virginia. It is to take place in 1915, but the exact date is not mentioned in the papers I have received.

Mr. VARDAMAN. I understand it is proposed to make it a national affair rather than a southern affair.

Mr. MARTIN of Virginia. It is proposed to make it an affair for the colored race.

Mr. VARDAMAN. I am not going to fight the amendment, because I do not think it will do any good; but I wish to say, Mr. President, that I think the conclusion which logically will be drawn from what the Senator from Virginia has said with reference to the negro's progress in the South and his fight against the odds against him there, to my mind, is not altogether correct. Really the white man has done more for the negro than the negro has done for himself. As a matter of fact, there is no race of people on earth who have received as much help from others as the negroes of the South have received from the white people of the South. They have always been helped; the white people have assisted them in every possible way, except to make citizens or voters of them, and, of course, that ought not to be done and, indeed, will never be done. I am perfectly willing to help develop the negro along certain lines. I wish him well; but I do not think any good will result from this appropriation.

Mr. MARTIN of Virginia. Mr. President, I speak for the Virginia negro only. He has made wonderful strides in morality, in education, and in industry, and I feel like holding out a helping hand to him. I ask the Senate to make this appropriation.

Mr. WHITE. Mr. President, I wish to concur in what the Senator from Virginia [Mr. MARTIN] has said; but I want to speak for the negroes of the South; not of Virginia alone. I do not know much about the negroes in other sections of the country. I suppose they have done well. If they sprang from southern negroes, they ought to have done well anywhere.

These people have accomplished more than we had any right to expect they would have accomplished. The Senator from Mississippi [Mr. VARDAMAN] is right when he says they have not been badly treated in the South. They have been treated well; and they have treated the southern people well. It has not been their treatment, Mr. President, that has burdened them; but it was a condition, and that condition was slavery. They have emerged from that condition and have made wonderful strides in progress. If they had not been interfered with after they were emancipated in 1865, if Mr. Lincoln could but have lived, there never would have been any strife between the southern white man and the southern negro; they would have continued to live together in peace, as they had done for generations past. We had shown our friendship for each other for more than a century. They were not brought there by us; they were laid at our door by others; they were brought to us as savages. We lifted them through slavery from savagery to civilization and manhood.

He has been our burden in the past; he was our burden when he was a slave; and yet, Mr. President, he contributed wonderfully to our race. We can point to as fine a race of white men as ever lived from the South, and those men received from the toil and sacrifice of the negroes the means with which they educated and accomplished. We are grateful to him for what he has done, and we are willing to show our gratitude by way of urging this appropriation for their benefit and to show the world what they have accomplished since acquiring freedom.

But, Mr. President, we are more truly grateful to them for what they did for us during the struggle in which their freedom was the issue than for what they did for us in other times. When all the colored man had to do to obtain his freedom was to cross the line and take up arms against our section, he stood by our side and fought our battles with us. He camped with us at night; he marched with us by day; he held our horses and guarded our tents while we stood in battle line and met death by thousands. He supplied our every want; he guarded our homes and protected our women and children; he was indeed our friend. He showed his friendship and his loyalty as no other race on earth had ever done by standing by us in the hours of our trouble.

The black men of the South carried their dead masters back to their wives; the sons who had fallen in battle back to their mothers' arms. They bore our sick and the wounded to them; and when they came bearing in their hands these precious burdens, they so endeared themselves to us that it has never been forgotten.

I want to say, Mr. President, in this presence, that nothing I have done, no appropriation for which I have voted, gives me more pleasure than does this one. To enable the black man of the South to show what he has achieved under the tutelage of the southern white man while he was a slave, and with his co-operation since his freedom, and by his own untiring efforts since he has had placed upon him the responsibilities of manhood, affords me genuine pleasure. Unfortunately for him and for the country he had political responsibilities thrust upon him which he was unable to carry. In this way he was made to compete in an unequal struggle with the white man, and this caused the only estrangement between the races in the South. It was a mistake; it should not have been made. Mr. President, I will with much pleasure vote for the amendment offered by the Senator from Virginia.

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

The amendment was agreed to.

Mr. CLARKE of Arkansas. Mr. President, I move to amend the bill at page 113 by striking out lines 12 to 17, inclusive. The matter proposed to be stricken out is as follows:

Hot Springs Reservation, Ark.: Authority is granted the Secretary of the Interior to expend the sum of \$20,000, or so much thereof as may be necessary, from the revenues, Hot Springs Reservation, for labor and material required in the remodeling of the Government free bathhouse on the Hot Springs Reservation and in expenses incident thereto.

If the drainage system that we have provided for to-day is installed there, it will be a waste of public money to improve the old bathhouse. It will necessitate the construction of a new one, which may be the subject of consideration at a later date. It is useless to expend this money at this time. I move to strike out that item.

Mr. MARTIN of Virginia. I have no objection to that matter being stricken out.

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

The amendment was agreed to.

Mr. OLIVER. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 57, after line 25, it is proposed to insert:

For the purchase of additional ground at the Frankford Arsenal, \$135,000.

Mr. OLIVER. I will say that this appropriation has been requested by the Secretary of War. I believe the clerk of the Appropriations Committee has a letter from the Secretary, received since the bill was reported. It is for the purpose of acquiring a tract of land, the only land available, for the extension of Frankford Arsenal.

In this arsenal there is an immense amount of work done. The output of the arsenal amounts to about \$3,000,000 a year. It has 2,000 employees. With the exception of a small space for light and air in the center of a 63-acre tract, it is all occupied by buildings; and if there is any extension of the arsenal at all it must be by the acquisition of this land.

The land belongs to an estate of which the University of Pennsylvania is the residuary legatee, and while it is valued at a higher price than the appropriation calls for, I have no doubt, as it is yielding no income now, that the Government will be able to acquire it at that price.

I understand that the chairman of the committee is willing to accept this amendment, and I hope the acting chairman will do so.

Mr. OVERMAN. Mr. President, I think the Senator is mistaken about agreeing to accept it. The committee looked into it, and it was not estimated for, and therefore the committee concluded—

Mr. OLIVER. I beg pardon; it was estimated for.

Mr. OVERMAN. Not this year.

Mr. OLIVER. It is estimated for in a letter which is in the possession of the clerk of the committee.

Mr. OVERMAN. Since our meeting?

Mr. OLIVER. Since the meeting; yes.

Mr. OVERMAN. I did not know that. It has been estimated for heretofore, and we do not propose to make any captious objection to it, but leave it to the Senate.

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

The amendment was agreed to.

Mr. MYERS. Mr. President, I send to the desk an amendment, and with it I send up two letters from the Interior Department in support thereof, which I ask to have printed in the RECORD.

The VICE PRESIDENT. Without objection, that may be done. The matter referred to is as follows:

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
Washington, June 27, 1914.

Hon. H. L. MYERS,  
Chairman Committee on Public Lands,  
United States Senate.

MY DEAR SENATOR: For your information in connection with the sundry civil bill, now pending before the Senate, I beg to inclose herewith two letters this date sent by the First Assistant Secretary of the Interior to the Hon. THOMAS S. MARTIN, chairman of the Committee on Appropriations, relative to two items in the sundry civil bill affecting the land service, namely, the appropriation for the support of the field service of the General Land Office and the appropriation for contingent expenses of local land offices.

These letters are self-explanatory, and I think fully explain the needs of the service with respect to these particular branches of the work of this bureau.

Very respectfully,

CLAY TALLMAN.

Hon. THOMAS S. MARTIN,  
Chairman Committee on Appropriations,  
United States Senate.

MY DEAR SENATOR: Permit me to call the attention of your committee to the item "Depredations on public timber, protecting public lands," etc., in the sundry civil bill for the fiscal year ending June 30, 1915, under which the field service force of the General Land Office is maintained.

In the estimates submitted request was made for the sum of \$500,000, the same as for the present fiscal year, but as passed by the House of Representatives this item is reduced to \$475,000 (H. R. 17041, p. 94).

I desire to urge upon you the importance and necessity of the retention of the appropriation of \$500,000 for this work. In support of such request I beg leave to submit for your consideration some statistics indicating the value and importance of this work.

WORK ACCOMPLISHED.

During the year, June 1, 1913, to May 31, 1914, through cooperation with the Department of Justice, 162 civil suits were won, restoring 70,649 acres to the public domain and recovering \$228,050. These suits include suits to cancel patent, timber-trespass suits, suits to abate

unlawful inclosures, and suits to declare forfeiture of rights of way; 25 convictions were secured in criminal cases, resulting in 4 prison sentences and fines amounting to \$2,400; 89 indictments were returned for violations of the public-land laws.

All of these cases, both civil and criminal, were brought as a result of investigations by the field force of the General Land Office.

Through direct action of the General Land Office 1,882 unpatented entries were canceled, restoring approximately 301,120 acres to the public domain; 150,417 acres were restored to the public domain from unlawful inclosures without suit; \$43,713.05 was received through timber-trespass settlements and collected on sales of timber under permits; 22,394 cases were investigated in the field; 536 hearings to determine the validity of entries were held; 105 suits were recommended to the Department of Justice for the recovery of 33,531 acres of land and \$115,340.

WORK PENDING.

In the Department of Justice on June 1, 1914, there were pending 183 trespass suits to recover \$1,072,225; 510 suits to vacate patents to 146,400 acres; 39 unlawful-inclosure suits to restore 404,846 acres to the public domain; 30 suits to declare judicial forfeiture of rights of way; 6 miscellaneous suits; and 290 criminal cases.

In the General Land Office 19,168 cases pending for investigation in the field; 967 cases pending for hearing; about 1,300,000 acres involved in Carey Act lists to be examined in the field; 250,000 acres included in Indian allotments which will require field investigations; about 75,000 acres of State selections to be examined in the field.

These statistics differ in some instances from those presented to the chairman of the Appropriations Committee of the House of Representatives, for the reason that the statistics presented to him cover the period from December 1, 1912, to November 30, 1913, while this statement covers the year June 1, 1913, to May 31, 1914.

The foregoing indicates the value of the Field Service work and the necessity for the appropriation asked.

In this connection I desire to refer to several important matters which deserve special consideration:

1. The investigation in the oil fields of California. This is one of the large problems confronting the Field Service. The need for a speedy determination of the field work within the withdrawn area, about 1,500,000 acres, is imperative to protect the interests of the Government and to adjust promptly the rights of claimants. The office has been hampered in the investigation by a lack of sufficient force to put in the withdrawn area to make investigations to determine the rights of the applicants or locators and to clear away those that are invalid. The Navy Department is urging completion of the investigations in the naval petroleum reserves.

2. The investigation of irrigation companies which supply desert-land entries with water is increasing, and as the adjudication of the desert-land cases is dependent upon the finding of the office as to the resources and reliability of the company and the feasibility of its proposed irrigation system, it is essential that these investigations should be thorough and prompt.

3. The act of March 3, 1913, providing for the sale of fire-killed or damaged timber, has placed a large amount of additional work on the Field Service.

4. The work of cooperating with the Department of Justice in the trial of the civil and criminal cases which are prosecuted by that department on the recommendation of the Interior Department as a result of investigations made by the Field Service. Some of these cases are far-reaching in importance and will require a considerable portion of the time of a number of the special agents.

5. The work in Alaska. The legislation recently enacted providing for the construction of a railway and the opening of the resources of Alaska will undoubtedly result in an influx of settlers and others seeking to acquire title to public lands in that Territory.

During the past fiscal year, working under an appropriation of \$500,000, the commissioner has found it necessary to exercise rigid economy in order that the force may be maintained intact during the entire year. If the present 1914 appropriation is not maintained, a corresponding reduction in the field force and work accomplished will necessarily result.

Considering the volume of this work and its importance, both to the Government and the settlers and other public-land claimants, I most respectfully solicit the serious consideration of your committee as to the advisability of the reduction proposed by the House bill.

Very respectfully,

Secretary.

DEPARTMENT OF THE INTERIOR,  
Washington, June 27, 1914.

Hon. THOMAS S. MARTIN,  
Chairman Committee on Appropriations,  
United States Senate.

MY DEAR SENATOR: The estimates of appropriations required for the General Land Office service for the fiscal year 1915 included \$350,000 for contingent expenses of land offices. The sundry civil act of June 23, 1913, provided \$320,000 for that service for the fiscal year 1914, which was supplemented by an additional appropriation of \$20,000 in the urgent deficiency act, making \$340,000 for the fiscal year about to close.

For your information I submit a statement of the expenditures authorized during the fiscal year in land offices, as follows:

Contingent expenses of land offices, 1914.	
Appropriation	\$340,000.00
Allotments:	
For registration of letters	11,500.00
For drayage	500.00
For freight, advertising, and telegrams	1,196.24
For direct settlements (authorized to date), incidentals	3,209.62
For rent of offices	40,301.69
For incidentals (authorized to date)	3,929.82
For clerical services	279,059.30
For expenses of detailed clerks	216.35
Balance available for authorization	86.98
	340,000.00

It will be seen that there remains a balance of \$86.98 available for further authorization before July 1, but in order to confine expenditures within the appropriation this office has been compelled to deny numerous requisitions for essential needs of the service in the matter of clerical

assistance, equipment, etc., which should, if the appropriation permitted, have been provided. Telephone service, adding machines, and other necessities can not be allowed to these offices because of insufficient appropriation.

I observe from the proceedings in Congress, as shown in the CONGRESSIONAL RECORD, that the estimate of \$350,000 has been reduced by the House of Representatives to \$330,000 for the incoming fiscal year in the sundry civil bill, now pending in the Senate, which appropriation, if enacted into law, will be inadequate to the needs of the service. On July 1 there will be 234 clerks employed in district land offices whose salaries will aggregate \$279,362, being an average of approximately \$1,194 per clerk. This will leave but \$50,638—for the payment of office rent, \$38,829.84; registration of letters, \$11,500; drayage, freight on supplies, telegraphing, and advertising, \$2,000; and equipment, \$10,000, aggregating \$62,329.84. This will not only prevent the promotion of clerks, but will also require a reduction of the clerical force to the extent of \$11,691.84, unless the appropriation is increased to the amount estimated—\$350,000. This latter amount would permit of the payment of the above-estimated expenditures, the promotion of deserving clerks in amounts not exceeding \$5 per month, and leave a small margin for emergencies.

In view of the facts above stated, the consideration of your committee is invited to the advisability of increasing the appropriation to the amount estimated—\$350,000.

Very respectfully,

Acting Secretary.

The VICE PRESIDENT. The amendment proposed by the Senator from Montana will be stated.

The SECRETARY. On page 99, in line 18, it is proposed to strike out "\$475,000" and to insert in lieu thereof "\$500,000."

Mr. MYERS. Mr. President, this was estimated for. I have spoken to the chairman and practically all the members of the Committee on Appropriations, and there is no opposition to it, and I hope it will be adopted.

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

The amendment was agreed to.

Mr. HOLLIS. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 198, after line 18, it is proposed to insert:

That for the relief of the sufferers from the recent conflagration in Salem, Mass., there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$200,000, or so much thereof as may be necessary: *Provided*, That all expenditures under this joint resolution shall be made under the direction of the Secretary of War.

Mr. GALLINGER. Mr. President, the words "joint resolution," I think, ought to be stricken out.

Mr. HOLLIS. This is an amendment to the bill.

Mr. GALLINGER. Yes; but I noticed the words "joint resolution" as the amendment was read. That, I think, ought to be stricken out.

Mr. HOLLIS. That is correct; it ought to be "under this provision" instead of "under this joint resolution."

Mr. President, the necessity for this appropriation for the relief of the destitute and suffering at Salem was brought to my attention during the temporary absence of the Senators from Massachusetts, and in order to have it in order I offered the amendment yesterday to be printed and lie on the table.

The matter was called to the attention of the Senate first by the President of the United States in the following communication:

To the Senate and House of Representatives:

The governor of Massachusetts has sent me the following telegram: "The Salem relief fund is increasing slowly. The expense of rehabilitation will be enormous, as 3,000 families are homeless and without work. If the National Government could appropriate \$200,000, it would assist greatly. I am informed that the action of the National Government at the time of the San Francisco disaster furnished a precedent. Can anything in the way of substantial contribution from the National Government be obtained?"

In view of the great number of homeless and destitute in Salem I very earnestly urge the immediate appropriation by the Congress of \$200,000, as requested by the governor, to be expended under the direction of the Secretary of War.

WOODROW WILSON.

THE WHITE HOUSE, July 3, 1914.

This amendment was offered at the request of the Massachusetts delegation in the House of Representatives. I am very glad, indeed, to offer the amendment, and to state that I believe it will be accepted by the chairman of the Committee on Appropriations.

Mr. MARTIN of Virginia. Mr. President, in the absence of the two Senators from Massachusetts, and after a conference with the Massachusetts delegation in the other House, and in view of the message from the President of the United States in respect to this matter, this amendment is presented to the Senate.

I realize that there may be objections, there may be arguments made, as to why an appropriation of this sort ought not to be made; but in the meantime about 17,000 people are in a state of actual suffering. I think in the presence of such an appalling disaster as this fire, which has destroyed a large part

of the city of Salem, and in the presence of the actual suffering of 3,000 homeless and houseless families, about 17,000 souls in all, we can afford to ride over and jump over any impediments that in theory may exist, and afford some relief to this mass of suffering humanity in one of the States of this Union.

I think the humanitarian spirit which prevails in the Senate surely can reach out to the actual suffering of 17,000 people. We had manifestations of that broad humanitarian spirit on yesterday, when an appropriation of perhaps questionable character was made; but if it was questionable it was an error, if an error at all, in the interest of humanity, and for the amelioration of the human race. I think this is a case more pointed, more acute, and more necessary than that; and I sincerely hope the Congress of the United States will not deny the small sum of \$200,000 for the relief of these sufferers.

I have been asked, "Why does not the State of Massachusetts come to the rescue?" The answer made to me has been that there is a provision in the constitution of Massachusetts that forbids it. I have not had time to inquire into that, and for my part I do not desire to inquire into it. If anybody else is at fault, it is no excuse for us. I want to see these people relieved. I want to see this suffering stopped. I want to see the Congress of the United States show a generosity toward these 17,000 suffering people; and I hope the amendment will be adopted.

Mr. HOLLIS obtained the floor.

Mr. GALLINGER. Mr. President, will my colleague yield to me for a moment?

Mr. HOLLIS. I yield to my colleague.

Mr. GALLINGER. Mr. President, the statistics of this great disaster are worthy of being put into the RECORD.

Mr. HOLLIS. I was about to comment on those. I think I have all of them here, and if my colleague will pardon me I will state them briefly.

Mr. GALLINGER. Then I will not undertake to do it. I will only say that I sat on the porch of a friend's house 40 miles from the city of Salem and saw evidences of that great fire, lasting several hours, and it was a great disaster. I feel sure Congress will be glad to appropriate this small amount; and I hope my colleague will put in the RECORD precisely the data relating to it.

Mr. HOLLIS. I shall be very glad to do so, Mr. President.

The population of Salem at present is about 45,000.

The families who were rendered homeless by this fire number 3,000.

The persons rendered destitute or homeless on account of the fire are 17,000. That is more than a third, and nearly one-half, of the entire population.

The large industries destroyed are the following:

The Naumkeag Cotton Mills, with a capacity of 2,500 hands; 8 shoe factories; 8 leather factories; 9 shoe stock and finding factories; 6 machine shops; and 3 foundries.

The amount needed by the relief committee is stated to be \$1,700,000.

The subscriptions to date are about \$380,000.

The special State appropriation for poor relief in Salem is \$100,000.

The militia appropriation for Salem is \$25,000.

The State tax assumed by the Commonwealth is \$25,000.

The assignment of State property from other institutions is \$25,000.

The special loan authorized for Salem is \$700,000.

The State appropriation probably will be increased.

The total loss of the fire, which is stated to be probably underestimated, is \$10,000,000.

The men will be out of work until the industries are rebuilt. The Naumkeag Mills expect to reopen in January.

Congress gave to San Francisco, in a similar plight, \$2,500,000. This was practically turned over to the Red Cross Society for expenditure. Rations were furnished at San Francisco to persons out of work for several months.

I feel, speaking for a neighboring State, and one that is closely in touch with Massachusetts in every way, that this comparatively small appropriation of \$200,000 ought to be granted without raising any technical points which might be raised, and without debate.

Mr. WEEKS. Mr. President, I want to say just a word, having been absent from the Senate when this matter came up, to thank the Senator from New Hampshire and the Senator from Virginia for their good offices in bringing this matter before the Senate. The facts which they have stated relating to the number of people who are homeless and who have lost practically their all are quite true. I have personally investigated them. The need is for immediate assistance in the way of clothing and food for those people.

The citizens of Massachusetts have contributed a considerable amount, about \$400,000, and the State has made a small appropriation, which, with this \$200,000, will be sufficient, I think, to provide for those people who are out of employment until they have an opportunity to readjust their welfare lines and get employment in other places.

I think there are ample precedents for this action, not only in the case of San Francisco, which has been cited, but in cases of distress due to floods and other calamities.

I hope the Senate will see fit to act unanimously in favor of this amendment.

Mr. VARDAMAN. Mr. President, I am very much in favor of the Government of the United States conducting its affairs economically. I am opposed to a waste of money in any manner or form, such as, I think, has been made in the appropriation for the exposition at San Francisco and the one that was made a moment ago to the negro celebration at Richmond, Va.; but I do not think a dollar can be invested more profitably than the dollar invested in alleviating the sufferings of humanity. The greatness of this country does not consist of its banks and railroads and enterprises of that character, but rather in the moral qualities and intellectual acquirements of the men and women who compose its citizenship. Men and women are the Nation's greatest assets.

The people of Salem, Mass., are in distress. This is a rich government, and while a few years ago I dare say I should have opposed this appropriation upon constitutional grounds, yet we have a precedent for it. We have drifted away from the moorings of the fathers in matters of constitutional construction, and I am willing to resolve the doubt in favor of the needy people of that stricken city. I shall be willing to vote not only for \$200,000 but for \$400,000, if it may be necessary, to meet their immediate wants. I do not believe you can use the money in the Treasury for a better purpose, and I believe the people who pay the taxes and bear the burdens of government will approve this appropriation.

Mr. President, service to man is the most acceptable service to God, and he who paints the pallid cheek of care with the rose of health, who causes to blossom in the garden of the heart made desolate by adversity the flower of hope, who fills the soul with cheer, stimulates courage, and helps the weak and faltering to try again—that man has lived and done the highest purposes of life. I hope this measure may receive the votes of every Senator in this Chamber.

Mr. POMERENE. Mr. President, I should be doing violence to my own feelings if I did not express the hope that this appropriation will be voted without any hesitancy whatever.

A little more than 15 months ago my own great State, as well as the neighboring State of Indiana, suffered a very great disaster. I was through those flooded districts. I know what the people suffered there, and I can conceive the state of affairs in the city of Salem to-day. It was with extreme regret that I learned the other day that there was any hesitancy whatsoever at the other end of the Capitol in granting this appropriation.

The VICE PRESIDENT. The question is on agreeing to the amendment. [Putting the question.] The ayes have it, and the amendment is unanimously agreed to.

Mr. CUMMINS. Mr. President, I move to strike from the bill the portion beginning at line 21, on page 54, and ending with line 17, page 55, and to insert in lieu thereof the matter which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 54, commencing with line 21, it is proposed to strike out down to and including line 17, on page 55, and in lieu thereof to insert:

It shall be the duty of every common carrier by railroad whose property is being valued under the act of March 1, 1913, to transport the engineers, field parties, and other employees of the United States who are actually engaged in making surveys and other examination of the physical property of said carrier necessary to execute said act from point to point on said railroad as may be reasonably required by them in the actual discharge of their duties; and also to move from point to point and store at such points as may be reasonably required the cars of the United States which are being used to house and maintain said employees; and also to carry the supplies necessary to maintain said employees and the other property of the United States actually used on said railroad in said work of valuation. The service above required shall be regarded as a special service and shall be rendered under such forms and regulations and for such reasonable compensation as may be prescribed by the Interstate Commerce Commission, and as will insure an accurate record and account of the service rendered by the railroad; and such evidence of transportation, bills of lading, etc., shall be furnished to the commission as may from time to time be required by the commission.

Mr. CUMMINS obtained the floor.

Mr. MARTIN of Virginia. Mr. President, if the Senator will permit me to interrupt him—

Mr. CUMMINS. I yield to the Senator.

Mr. MARTIN of Virginia. I desire to say that I am perfectly satisfied to accept the Senator's amendment just as he has offered it.

Mr. CUMMINS. Very well, then, Mr. President.

Mr. BRANDEGEE. Mr. President, of course I have no objection to the chairman of the committee accepting the amendment, but I had hoped to hear from the Senator from Iowa as to the necessity for this provision. Without the provision that the Interstate Commerce Commission shall decide what will be a reasonable compensation for the service rendered, would not that be the situation if no additional legislation were enacted?

Mr. CUMMINS. No. The House bill provided that it should be lawful for the carriers to furnish this service without compensation; that is, free service; that is, to give all these employees of the Government free transportation, to transport all the supplies of the Government without charge, and to house and maintain without charge the employees of the Government while they were in the performance of their duty.

Mr. BRANDEGEE. I understand that, and I am opposed to that as much as the Senator is.

Mr. CUMMINS. I regarded that as a very vicious proposal. I think it strikes a blow at the fundamental principle which precedes fair and reasonable and effective railroad regulation.

The amendment that I have offered—and I am stating this not simply because the Senator from Connecticut has asked it—follows the general language of the bill, but instead of providing for free service it provides for reasonable compensation, to be fixed by the commission. The reason for that is that this is a special service, as is there recited. A corps of engineers go upon a railroad for the purpose of making an inventory of its physical property and valuing it. They must be carried from point to point at unusual times and under unusual circumstances. They must be permitted to store their cars upon the side tracks at stations in a way not at all usual in the ordinary business of a common carrier. The railroad companies can not cover this service by filing tariffs. It is so exceptional in its character that there must be an especial regulation with regard to it. My amendment provides as it does simply in order to render it unnecessary that the railroads shall file tariffs, as the law requires for other service, covering this particular work which they are to do in cooperation with the employees of the United States.

I know of no other way in which the compensation can be fixed save through the action of the Interstate Commerce Commission. I have been informed by the secretary of the Interstate Commerce Commission that the railroad companies offered to render this service without compensation. I have no doubt that the Interstate Commerce Commission will fix a reasonable compensation for it that will do entire justice to the railroads, nor will it subject the work itself to those criticisms which might otherwise be made upon it.

Mr. BRANDEGEE. I agree with the Senator entirely. I think it would be exceedingly bad policy for the Government, which is conducting a proceeding somewhat of an adverse nature possibly to the railroads, to compel the railroads to pay the expenses of it or to do anything in the nature of a favor to the Government. My sole inquiry was, or intended to be—at least, my thought was this: Suppose the House provision was simply stricken out and nothing offered in lieu of it, would not the railroads perform the service without filing the tariff the Senator has alluded to?

Mr. CUMMINS. I think not.

Mr. BRANDEGEE. Then, of course, the Senator has given a good reason.

Mr. CUMMINS. I think the railroad companies could not charge anything whatsoever for the service without covering it by a tariff regularly filed with the Interstate Commerce Commission.

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

The amendment was agreed to.

Mr. JONES. On page 166, just before the Macdonough memorial amendment, I move to insert what I send to the desk.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. Following the amendment heretofore agreed to, in line 11, page 116, insert the following:

For collecting and maintaining an adequate Alaskan exhibit at the Panama-Pacific Exposition, \$50,000, to be expended for said purpose by and under the direction of the Federal exhibit board having charge of the Government exhibit at said exposition under the provisions of the law heretofore enacted.

The amendment was agreed to.

Mr. JONES. In this connection I wish to have printed in the Record a letter from the Secretary of the Interior.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE INTERIOR,  
Washington, June 24, 1914.

The CHAIRMAN OF THE COMMITTEE ON APPROPRIATIONS,  
United States Senate.

SIR: In response to the request noted upon a copy of an amendment intended to be proposed by Mr. JONES to the bill making appropriations for sundry civil expenses for the fiscal year ending June 30, 1915, in relation to an appropriation for an Alaskan exhibit at the Panama-Pacific International Exposition, I would say:

There is no adequate provision for an exhibit of Alaska at this exposition. The whole amount appropriated for the Government exhibit board is \$500,000, and this amount must provide for the executive departments, the Territories, and various commissions named for consultation. The amount which may be used from this fund for Alaska could not exceed a few thousand dollars at most.

It seems to be peculiarly desirable that Alaska be well represented at the exposition, because of the relation of that territory to the cities of the Pacific coast, and because of the interest in Alaska which has developed on account of the recent provision for railroads.

Congressional appropriations were made for exhibits of Alaska at previous expositions as follows:

Louisiana Purchase Exposition, St. Louis, Mo., 1904 (32 Stats., 1198), \$50,000.

Lewis and Clark Centennial Exposition, Portland, Oreg., 1905 (33 Stats., 177), \$25,000.

(The building for this exhibit was provided from the appropriation of \$250,000 for Government buildings at said exposition.)

Alaska-Yukon-Pacific Exposition, Seattle, Wash., 1909 (public act, No. 141, approved May 27, 1908), \$100,000.

(The building for this exhibit was provided from the appropriation of \$250,000 for Government buildings at said exposition.)

Respectfully,

FRANKLIN K. LANE.

Mr. BRADY. I desire to offer the amendment I send to the desk.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 100, after line 20, insert:

To enable the Secretary of Agriculture to make field experimental demonstrations for the purpose of utilizing the by-products of the several species of trees grown in the United States and of the stumps and roots on logged-off land, and to ascertain and investigate methods of processing and treating the several species of wood and of such stumps and roots, and determining the merchantable value thereof, \$15,000.

Mr. BRADY. Mr. President, this amendment was offered to the Agricultural appropriation bill. It was estimated by the Department of Agriculture and approved by that department and approved by the Committee on Agriculture and Forestry. It was voted favorably upon by the Senate, but was disagreed on in conference.

At the time the conference report was made I am quite sure the Senate would have been willing to have returned the report to the conference again on account of this amendment, but I did not desire to delay the bill. I said at the time I would depend upon the fair treatment of the Senate when the matter came up for consideration again.

This is a matter of much importance to the people of the West, and great good will result by the adoption of this amendment. Dean Shattuck, of the University of Idaho, and his assistants are now actually engaged in demonstrating what can be done with the by-products of our forests. They are securing results that are very satisfactory indeed, and if this amendment is adopted and the funds made available by the passage of this bill they will be able to make a showing that will be pleasing to every Member of this body.

I sincerely hope that the Senator having the bill in charge will not raise a point of order, and I ask that the amendment be adopted.

Mr. OVERMAN. I am not going to make a point of order; but this proposition was settled by the Senate on the Agricultural appropriation bill, and it is not right to bring up the same question on this bill. The item went out in conference, and if put on this bill it will very likely be stricken out again in conference.

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

The amendment was agreed to.

Mr. WEEKS. I offer the following amendment.

The VICE PRESIDENT. It will be read.

The SECRETARY. It is proposed to insert as an additional paragraph, after line 10, on page 135:

For changing existing lights and moving additional lights for the aid of navigation at the eastern and western entrances to the Cape Cod Canal, \$50,000.

Mr. WEEKS. Mr. President, the Cape Cod Canal, which has been under construction for three or four years, is nearing completion. About \$7,000,000 have been spent in the construction of the canal by private capital. About \$1,000,000 has been expended in deepening the entrance to the canal on the Buzzards Bay or western end of it. The section which is covered by this development is already lighted, but not suitably lighted for the purpose of supplying the lights for the entrance to the

canal, either at the western or Buzzards Bay entrance or on the eastern or Barnstable Bay entrance.

This matter was taken up in March, and a bill passed the Senate, introduced by the Senator from New York [Mr. Root], directing the Secretary of Commerce to provide suitable lights for this canal service. The amount estimated by the department is \$50,000.

Mr. MARTIN of Virginia. Mr. President, this amendment, as far as I recollect, was not before the committee. I do not know why it was not presented to the committee, but, at any rate, I have looked into it very carefully. The Cape Cod Canal has been built by private parties at an expenditure of many millions of dollars. The lights as heretofore existing do not serve the purpose of the canal and the entrance to the canal. It is necessary to change the location and character of the lights; and I think it is eminently proper that the Government should provide the lights. The lights are to be on the open navigable waters of the United States; they are not to be on the private canal, but on the open navigable waters of the United States. I think the amendment should be adopted.

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

The amendment was agreed to.

Mr. LANE. Mr. President, I have an amendment to offer which, if adopted, will bring money into the Treasury.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. On page 39, after line 11, insert the following proviso:

Provided, That the Secretary of the Treasury is hereby authorized and directed to pay, as a reward, 10 per cent of any sum which may be recovered in the nature of penalties, fines, forfeitures, or otherwise to the person or persons who shall first furnish evidence to the Government of the violation of the antitrust or interstate-commerce laws, or of the commission of any frauds against the Government, resulting in the recovery of such penalties, fines, forfeitures, or recoveries.

Mr. MARTIN of Virginia. I make a point of order against the amendment. It is legislation, and I am opposed to the policy of penalties and espionage.

Mr. LANE. I call attention to the fact that there are items already in the bill of the same character.

Mr. MARTIN of Virginia. We are dealing with this item now, and I make a point of order against it.

Mr. LANE. It calls for no expenditure of money; it will bring in hundreds of thousands of dollars. It will bring in millions of dollars. It will stop frauds that are being perpetrated upon the Government. It is a useful provision. It is not against the law. It is in line with items already incorporated in the bill and it is in conformity with other measures which have been passed by Congress. It will help furnish money to pay for the celebration already appropriated for in the bill and some other items of expenditure.

Mr. MARTIN of Virginia. It is regular legislation.

Mr. LANE. I am surprised that the distinguished Senator from Virginia should offer an objection to it. It is a good provision. It is a proper amendment.

The VICE PRESIDENT. Is the point of order insisted on?

Mr. MARTIN of Virginia. The point of order is insisted on.

The VICE PRESIDENT. The point of order will have to be sustained.

Mr. LANE. On what ground?

The VICE PRESIDENT. On the ground that it is general legislation.

Mr. SMOOT. I offer an amendment on page 103, following line 2.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 103, after line 2, insert the following proviso:

Provided further, That not to exceed \$25,000 of the above amount may be used to bring up the arrears of office work in Surveyor General's office upon returns of surveys filed therein prior to the passage of this act.

Mr. SMOOT. This does not increase the appropriation, I will say to the Senator from Virginia. It simply allows \$25,000 of the appropriation to be used for this specific purpose, as recommended by the Commissioner of the General Land Office. The amendment was agreed to.

Mr. STERLING. I move the following amendment: On page 121, beginning after the figures "\$300,000" in line 11, I move to strike out the remainder of the paragraph.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 121, line 11, after the numerals "\$300,000," it is proposed to strike out the provisos down to and including line 21, in the following words:

Provided, however, That no part of this money shall be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view the increasing of wages, shortening of hours, or bettering the conditions of labor, or for any act

done in furtherance thereof, not in itself unlawful: *Provided further*, That no part of this appropriation shall be expended for the prosecution of producers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products.

Mr. STERLING. Mr. President, the language of the provisos which this amendment proposes to strike out is identical with the language of the provisos contained in the sundry civil bill of last year. President Taft vetoed that bill on the ground that it was vicious class legislation, and that if standing alone and without being connected with any appropriation no one would doubt the unconstitutionality of these provisos exempting, as they do, labor and farmer organizations from prosecution. In other words, the provisos are a limitation upon the expenditures of the \$300,000 appropriated so that none of it may be used for the prosecution of these organizations under the antitrust law.

I do not propose, Mr. President, to enter into any discussion at length of this proposed amendment or of these provisos. The question was very thoroughly discussed last year, but at the time of the discussion here, and at the time of the vote here, it had not been discussed by the then President of the United States. I simply wish to call attention to and to read the communication of the President at the time of his approval finally of the sundry civil bill. He said:

I have signed this bill because I can do so without, in fact, limiting the opportunity or the power of the Department of Justice to prosecute violations of the law by whomsoever committed.

If I could have separated from the rest of the bill the item which authorized the expenditure by the Department of Justice of a special sum of \$300,000 for the prosecution of violations of the antitrust law, I would have vetoed that item, because it places upon the expenditure a limitation which is, in my opinion, unjustifiable in character and principle. But I could not separate it. I do not understand that the limitation was intended as either an amendment or an interpretation of the antitrust law, but merely as an expression of the opinion of the Congress—a very emphatic opinion, backed by an overwhelming majority of the House of Representatives and a large majority of the Senate, but not intended to touch anything but the expenditure of a single small additional fund.

I can assure the country—

Says the President—

that this item will neither limit nor in any way embarrass the actions of the Department of Justice. Other appropriations supply the department with abundant funds to enforce the law. The law will be interpreted in the determination of what the department should do, by independent and I hope impartial judgments as to the true and just meaning of substantive statutes of the United States.

This is about all I care to say, Mr. President. I was opposed to these provisos last year, and I am still opposed to them. I think, as the President says, they are unjustifiable in character and in principle. He declares, further, that this limitation upon the expenditure of this \$300,000 will not in any way deter the Department of Justice from enforcing the law. If that be true, then why have it in this bill as an exemption or as a limitation upon the expenditure? The limitation serves no other purpose than to mislead. It seems to me, Mr. President, that it ought to be beneath the dignity of the Senate or the Congress of the United States to put into a bill a provision that is unjustifiable in character and in principle and which will serve only to mislead, and that manifestly if not confessedly so.

Mr. MARTIN of Virginia. I ask for the yeas and nays, Mr. President, on agreeing to the amendment.

Mr. HUGHES. Mr. President, I had no desire to open up this discussion. I had not intended to say anything on the subject, and I do not know that it is worth while to say very much now. There is no Senator in this Chamber who is not familiar with the subject. The history of this amendment shows it was a product of peculiar conditions. It was first the effort of the lower House to legislate upon the proposition which it was impossible to get from the committee. There were those who believed that in another body there was an overwhelming sentiment in favor of the proposition that organizations of labor and laboring people in general were not and should not and never were intended to be within the provisions of the Sherman antitrust law. We knew that the debate occurring upon that famous measure clearly showed to any student who has interest enough to read them that it was not in the mind of the authors of that law that men of this character should come within its provisions. Yet a quarter of a century afterwards the friends of the laboring people of this country and their friends were confronted with the proposition that practically the only people who had ever been effectually reached, effectually hindered and hampered and punished, were the laboring people as laboring people.

The provision rejected in the other House came to this body. The next time it came it was carried into the law and it is now a part of the law. I hope and believe that before this Congress adjourns the principle embodied in that limitation will be enacted into substantive law. I will say that if I did not believe that I would do what I could to limit not only this

appropriation but every appropriation carried in this bill. If I could not do it by substantive law, I would limit every single appropriation to be expended by the prosecuting officers of this Government so that they could not put the machinery of this law in motion against the laboring people of the country.

I want to be absolutely candid and frank. If that is class legislation, make the most of it. I have no difficulty in distinguishing between the Standard Oil Co. and the toiling people of this country. The great statesmen—though I do not put myself in that category—not only in this but other countries have seen no difficulty in differentiating between the toilers and great combinations of capital.

Practically every civilized nation in the world has made this distinction. The courts of this country are more amenable to public opinion and to right and justice than the elected and selected representatives of the people, and they have accepted the principle embodied in that limitation. In two recent decisions the courts of the United States have practically granted to the laboring people what they claim in this language. They have recognized the principle it stands for, and the Congress of the United States, if it enacts it now, comes halting, blindly, and lamely behind the courts, against which these people have been asking the legislative department of the Government for protection.

Mr. President, there is no occasion for discussing this amendment any further. I hope and believe the language proposed to be stricken out will be permitted to remain a part of this bill.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from South Dakota [Mr. STERLING].

Mr. SUTHERLAND. Mr. President, this subject was very fully discussed by the Senate last year when a similar provision was written into the sundry civil appropriation bill. I myself discussed it at some length at that time, and I do not intend to repeat what was then said, but I do not want to vote upon the proposition to strike out the language without very briefly expressing my reasons for casting the vote which I shall cast.

I intend to vote for the amendment proposed by the Senator from South Dakota [Mr. STERLING]. This provision is either an unnecessary and useless thing or it is a vicious thing—one or the other. If this provision means only that a labor organization shall not be prosecuted under the antitrust law for any legitimate attempt by combination or contract or otherwise to increase the wages of its members or to shorten the hours or better the conditions of labor, then it is a needless thing, because labor organizations have that right now. The labor organizations of the country have the right, and have always had the right, to combine for the purpose of increasing their wages. The members of a labor organization have a right to agree and to combine and to strike for the purpose of increasing the price which the thing they have for sale, namely, their work, will bring. No manufacturer has any such right as that.

Mr. HUGHES rose.

Mr. SUTHERLAND. Just a moment. Manufacturers are forbidden to combine for the purpose of raising the prices of their commodities. The right of the workmen to combine together for the purpose of enhancing the price of what they sell—to restrain full competition in the field of labor—already puts them in a favored class before the law; and rightfully and justly so. The antitrust law does not reach such a combination, because labor is not an article of commerce.

Mr. HUGHES. Will the Senator from Utah permit a question?

Mr. SUTHERLAND. Yes.

Mr. HUGHES. I will say that I agree fully with what the Senator has said up to this time, but the proposition that the Senator makes was not always admitted, and has not been admitted upon the floor of the Senate until very recently; in fact, according to my information, it has not been admitted by the Senator or by any man who voted against this amendment until the Senator just admitted it. It was because it was not admitted that that amendment was offered. I am glad the Senator does admit it.

Mr. SUTHERLAND. Mr. President, the Senator from New Jersey is in error about that. I have personally always conceded it, and always believed in it, and expressly so stated in my remarks a year ago. I have never heard it seriously doubted. I do not recall any decision of a court which has held the contrary. But, however that may be, the rule is recognized now beyond any question whatever, that labor organizations have a right to exist; they have a right to combine for the purpose of increasing their wages or bettering their condition or shortening their hours of labor. It is a right which they ought to have, and a right which nobody concedes to them more freely than I do. Men have a perfect right to organize labor

unions, and if they can not obtain what they regard as fair wages or fair hours of work or proper conditions, they have a right to quit work, and they have a right to strike. All of that they have a right to do under the law as it is now. If this provision means nothing more than that, then I say it is absolutely needless; but if it means that labor organizations having come into existence are given the right to combine with one another for the purpose and with the effect of restraining interstate commerce, then it is vicious.

Mr. President, we do not undertake to prosecute organizations of capital simply because they are organizations of capital; we do not undertake to prosecute organizations of merchants simply because they are organizations of merchants. Capital has a right to organize; it has the right to carry on legitimate business; capitalists have the right to do that; and they can not be prosecuted unless they enter into such combinations or perform such acts as are intended to restrain or do restrain trade among the several States. That is declared by the antitrust act to be an evil thing; and if it is an evil thing, if it is a wrong to restrain trade among the States of this Union, what difference does it make who commits the wrong? Is it not as great a wrong for a number of workingmen to combine to violate the antitrust law as it is for a number of capitalists or a number of manufacturers to do the same thing?

We must look at the quality of the acts that are performed, not at the quality or the calling of the persons who perform them. We make no such distinction about other offenses. Murder is murder, by whomsoever committed; larceny is larceny, by whomsoever committed; and restraint of interstate commerce is restraint of interstate commerce, whoever commits it.

I think that this provision goes further than being merely a useless thing. The provision is:

*Provided, however,* That no part of this money shall be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view the increasing of wages, shortening of hours, or bettering the conditions of labor.

Let me pause at that point, because up to that point we have a complete proposition. We are not to prosecute, so far as this appropriation is concerned, "any organization or individual for entering into any combination or agreement," provided that combination or agreement shall contain one element, namely, that it shall have "in view the increasing of wages, shortening of hours," and so on. It makes no difference what the character of the agreement or the combination may be—however offensive in every other respect it may be, however violative of the antitrust law it may be—if it have in view the increasing of wages or the shortening of hours, it can not be prosecuted. Does the Senate of the United States want to write into the statute books a proposition of that kind? Then the provision continues:

Or for any act done in furtherance thereof not in itself unlawful.

The phrase "not in itself unlawful" referred to its immediate antecedent means that for any act done in furtherance of this combination or agreement, provided the act itself is not unlawful, shall not be prosecuted; but the combination or the agreement itself, no matter what it may be in other respects, no matter how violative it may be of the law in other respects, can not be prosecuted under this appropriation if it has in view the increase of wages, shortening of hours, or bettering of conditions of labor.

Now I come to the next proviso, which reads:

*Provided further,* That no part of this appropriation shall be expended for the prosecution of producers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products.

Again, it does not make any difference what the effect may be upon interstate commerce. If they have cooperated and organized for the purpose of obtaining what they regard as a fair, reasonable price, then they can not be prosecuted. Suppose we were to substitute for the provision as it reads the words:

That no part of this appropriation shall be expended for the prosecution of lumber producers or manufacturers of steel who cooperate and organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products.

I think nobody in the Senate would accept an amendment of that character. Is it any more legitimate for an organization of farmers to cooperate than it is for an organization of lumber dealers to do the same thing? Both of these classes of people have the right to organize and combine, provided their organization and combination does not constitute a violation of the anti-

trust act. If it does, they should be prosecuted; and if a body of farmers or of horticulturists do the same thing, I should like somebody to tell me why it is that they should not be prosecuted for violating the same law?

Mr. President, I hope that I never will be able to get my own consent to vote for so utterly indefensible a piece of class legislation as this proviso would write into the law of the land.

Mr. WALSH. Mr. President, this matter, as has been stated, was very elaborately argued a year ago when the constitution of this body was practically what it is now, and I apprehend that every Member of the Senate has quite definitely made up his mind concerning the wisdom of this provision in the bill. The discussion that has thus far been indulged in, it seems to me, is quite irrelevant to the matter now before the Senate.

The Judiciary Committee has under consideration now, and will soon report, the Clayton bill, when there will be presented the question as to whether or not these organizations should fall under the condemnation of the Sherman antitrust law. At that time, it occurs to me, it will be appropriate to address ourselves to the considerations to which we have now listened.

For the present, Mr. President, permit me to state, as I stated a year ago, that that is not the question at all. There are provisions made in other portions of this bill for the prosecution of any man who commits any offense against the laws of the United States. If labor organizations fall under the condemnation of the Sherman Antitrust Act, or if farmers' organizations are amenable to its provisions, there is ample provision made in the bill for their prosecution, just as there is ample provision made for the prosecution of any crime against the Government of the United States.

There is no exemption given by the bill to anybody who violates the antitrust law, no matter who he is; but, Mr. President, it is found that in the enforcement of the Sherman Antitrust Act the officers of the Government encounter great, powerful combinations of capital able to bring to their help as a defense in the actions brought against them unlimited resources, and we want to so equip the officers of the law that they will be able to meet them upon somewhat even terms. It is believed, and everybody recognizes that it is the fact, that the Department of Justice is otherwise amply provided with funds if, perchance, it should find that a labor organization has violated the antitrust act. That is all. It is simply a question as to whether we shall devote this money to the purpose of prosecuting those cases in which the powerful defense to which I have referred may be interposed, or whether we shall permit a considerable portion of it to be diverted, perchance to some purpose that is not at all within the contemplation of the act.

Mr. MARTIN of Virginia. Mr. President, I move that the amendment be laid on the table.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. The question is on the motion made by the Senator from Virginia to lay on the table the amendment proposed by the Senator from South Dakota.

Mr. BORAH. Mr. President—

Mr. MARTIN of Virginia. Mr. President, I make the motion because the subject has been debated by the Senate many times, and I am anxious to finish this bill now. The matter has been debated and debated and debated, and I hope Senators will understand that it is because of the necessity of completing this bill that I must ask that the question be put on the motion that the amendment be laid on the table.

Mr. VARDAMAN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Hitchcock	Norris	Smith, Ga.
Borah	Hollis	Oliver	Smith, Md.
Brady	Hughes	Overman	Smoot
Brandegee	James	Page	Sterling
Burton	Johnson	Perkins	Sutherland
Camden	Jones	Polindexter	Swanson
Catron	Kenyon	Pomerene	Thomas
Chamberlain	Kern	Vandell	Vardaman
Chilton	Lane	Reed	Walsh
Clapp	Lewis	Shafroth	Warren
Clarke, Ark.	Martin, Va.	Sheppard	Weeks
Colt	Martine, N. J.	Shields	White
Cummins	Myers	Slimmons	Works
Gallinger	Nelson	Smith, Ariz.	

Mr. KERN. I desire to announce the unavoidable absence of the junior Senator from Nevada [Mr. PITTMAN], who is detained from the Senate on public business.

I also again announce the absence of the Senators from South Carolina.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.



The Senator from South Dakota [Mr. STERLING] moves to amend the bill by striking out from the word "Provided," on line 11, page 121, to the word "products," on line 21 of the same page. The Senator from Virginia [Mr. MARTIN] moves to lay the amendment on the table.

Mr. STERLING. On that I ask for the yeas and nays.

Mr. MARTIN of Virginia. Let us have the yeas and nays.

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

Mr. CATRON (when his name was called). I transfer my pair with the senior Senator from Oklahoma [Mr. OWEN] to the senior Senator from Illinois [Mr. SHERMAN] and will vote. I vote "nay."

Mr. CHILTON (when his name was called). I announce my pair with the senior Senator from New Mexico [Mr. FALL] and its transfer to the senior Senator from Alabama [Mr. BANKHEAD]. I vote "yea."

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN], and therefore withhold my vote.

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from Maine [Mr. BURLEIGH], and withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. JOHNSON (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. GRONNA]. In his absence I withhold my vote.

Mr. STONE (when his name was called). I transfer the pair I have with the senior Senator from Wyoming [Mr. CLARK] to the senior Senator from Louisiana [Mr. THORNTON] and will vote. I vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT], and therefore withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. In his absence I refrain from voting. If I were at liberty to vote, I should vote "yea."

Mr. WARREN (when his name was called). I am paired with the senior Senator from Florida [Mr. FLETCHER]. I do not know how that Senator would vote if present. If I were at liberty to vote, I would vote "nay," as I have informed the committee with which I am serving I would do.

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from South Carolina [Mr. SMITH], I vote "yea."

The roll call was concluded.

Mr. MYERS. I transfer my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the junior Senator from Maryland [Mr. LEE] and will vote. I vote "yea."

Mr. WEEKS. I should like to inquire if the senior Senator from Georgia [Mr. SMITH] has voted on this question?

The VICE PRESIDENT. He has.

Mr. WEEKS. I should like to say that my colleague [Mr. LODGE] has a general pair with him.

Mr. SMITH of Georgia. I announced that this morning, and announced for the day a transfer of the pair between myself and the senior Senator from Massachusetts to the junior Senator from Georgia [Mr. WEST]. I stated that I would let the transfer remain for the day, and that I would vote without announcing it again.

Mr. WEEKS. I should like to announce that if my colleague were present he would vote "nay" on this question.

Mr. SMITH of Michigan. My colleague [Mr. TOWNSEND] is temporarily absent from the Chamber. He has a pair with the junior Senator from Arkansas [Mr. ROBINSON]. If my colleague were present and permitted to vote, he would vote "nay."

Mr. LEWIS. I desire to announce the absence of my colleague [Mr. SHERMAN] on important business, and to say that I am informed by his secretary that if he were here he would vote "yea."

Mr. SAULSBURY. I am requested to announce the unavoidable absence of the senior Senator from South Carolina [Mr. TILLMAN]. If he were present, he would vote "yea." He is paired with the junior Senator from West Virginia [Mr. GOFF].

Mr. GALLINGER. I am requested to announce a pair between the senior Senator from North Dakota [Mr. McCUMBER] and the junior Senator from Nevada [Mr. PITTMAN].

Mr. CRAWFORD. I have a general pair with the senior Senator from Tennessee [Mr. LEA], who is absent, and therefore withhold my vote. If I were at liberty to vote, I should vote "nay."

The result was announced—yeas 41, nays 17, as follows:

YEAS—41.

Ashurst	James	Overman	Smith, Ga.
Brady	Jones	Poindexter	Smith, Md.
Bryan	Kenyon	Ransdell	Stone
Camden	Kern	Reed	Swanson
Chamberlain	Lane	Saulsbury	Thompson
Chilton	Lewis	Shafroth	Vardaman
Clapp	Martin, Va.	Sheppard	White
Clarke, Ark.	Martine, N. J.	Shields	Williams
Cummins	Myers	Shively	
Hitchcock	Newlands	Simmons	
Hughes	Norris	Smith, Ariz.	

NAYS—17.

Borah	Colt	Perkins	Weeks
Brandegge	Dillingham	Pomerene	Works
Bristow	Nelson	Smith, Mich.	
Burton	Oliver	Sterling	
Catron	Page	Sutherland	

NOT VOTING—38.

Bankhead	Gore	McLean	Stephenson
Burleigh	Gronna	O'Gorman	Thomas
Clark, Wyo.	Hollis	Owen	Thornton
Crawford	Johnson	Penrose	Tillman
Culberson	La Follette	Pittman	Townsend
du Pont	Lea, Tenn.	Robinson	Walsh
Fall	Lee, Md.	Root	Warren
Fletcher	Lippitt	Sherman	West
Gallinger	Lodge	Smith, S. C.	
Goff	McCumber	Smoot	

So Mr. STERLING's amendment was laid on the table.

Mr. NEWLANDS obtained the floor.

Mr. SUTHERLAND. Mr. President, will the Senator from Nevada yield to me? I wish to move an amendment to the same paragraph we have just had under consideration.

Mr. NEWLANDS. I yield.

Mr. SUTHERLAND. In line 14, on page 121, after the word "view," I move to insert the words "by lawful means," so that the provision will read:

That no part of this money will be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view by lawful means the increasing of wages, shortening of hours, or bettering the conditions of labor.

The VICE PRESIDENT. The question is on agreeing to the amendment. All those in favor of the amendment will say "aye." [A pause.] Those opposed will say "no." [A pause.]

Mr. MARTIN of Virginia. Mr. President, I was going to move to lay the amendment on the table, but perhaps it is too late now. I understand the amendment was defeated. I should not make the motion, anyhow, in view of that.

The VICE PRESIDENT. The Chair has not announced the result.

Mr. SUTHERLAND. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ASHURST. I ask to have the amendment stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 121, line 14, after the word "view," it is proposed to insert the words "by lawful means," so that it will read:

Having in view by lawful means the increasing of wages, etc.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CATRON (when his name was called). I transfer my pair with the senior Senator from Oklahoma [Mr. OWEN] to the senior Senator from Illinois [Mr. SHERMAN] and will vote. I vote "yea."

Mr. CRAWFORD (when his name was called). I again announce my pair with the senior Senator from Tennessee [Mr. LEA], who is absent. If I were at liberty to vote, I should vote "yea."

Mr. GALLINGER (when his name was called). Announcing my pair with the junior Senator from New York [Mr. O'GORMAN], I transfer that pair to the senior Senator from North Dakota [Mr. McCUMBER] and will vote. I vote "yea."

Mr. HOLLIS (when his name was called). I again announce my pair with the junior Senator from Maine [Mr. BURLEIGH]. If I were at liberty to vote, I should vote "yea."

Mr. JOHNSON (when his name was called). I transfer my pair with the junior Senator from North Dakota [Mr. GRONNA] to the junior Senator from Nevada [Mr. PITTMAN] and will vote. I vote "nay."

Mr. MYERS (when his name was called). I transfer my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the junior Senator from Maryland [Mr. LEE] and will vote. I vote "nay."

Mr. STONE (when his name was called). Announcing the same transfer of my pair as on the last vote, I vote "nay."



tention of Senators and Representatives. The Secretary of Labor, as we all know, is a man who has toiled with his hands. He himself is an old miner and he has sympathy with these underpaid public servants.

Mr. GALLINGER. If we have any class of officials who are underpaid we ought to be brave enough to increase their salaries in the right way. I make a point of order against the amendment.

Mr. HUGHES. I wish the Senator would withhold the point of order and give me a chance to make a statement.

Mr. GALLINGER. I will certainly do that.

Mr. HUGHES. I want the Senator to give me a chance to make a statement on the subject.

Mr. GALLINGER. I said to the Senator that I will withhold the point of order.

Mr. HUGHES. I will read the letter of the Secretary of Labor. He says:

DEPARTMENT OF LABOR,  
OFFICE OF THE SECRETARY,  
Washington, July 3, 1914.

HON. WILLIAM HUGHES,  
United States Senator, Washington, D. C.

MY DEAR SIR: I desire to respectfully direct your attention to the urgent necessity existing in the Immigration Service for funds sufficient to provide for a general regrading in subclerical positions, such as watchmen, gatemen, messengers, etc.

I call the Senator's attention to the fact that there is no attempt on the part of anybody to increase or reduce the salaries of the clerks, the chiefs of divisions, and the men holding lucrative places in that service. It simply applies to watchmen, gatemen, messengers, and so forth.

For a long time it has been apparent that the numerous petitions of these employees that their salaries be raised were worthy of recognition, but the insufficiency of the appropriation for the support of the said service has rendered the department powerless to meet the situation, more especially since the relief of an isolated case would serve no good purpose, it being essential to apply the increases throughout the service in justice to all.

Referring, of course, to this particular branch of the service.

Mr. GALLINGER rose.

Mr. HUGHES. I have not finished yet, I will say to the Senator. The Secretary proceeds:

The duties of these employees are very exacting and at times dangerous. They are required to handle insane aliens and criminals; their responsibilities are heavy, their hours long. They must provide their own uniforms, not a small item considering the fact that the majority are married and have dependent families and children to educate. An additional argument is found in this fact, that many served their country in time of trouble, and because of this are entitled to additional consideration. Yet salaries have remained stationary for many years, during which period of time the cost of living has risen steadily, rendering it difficult, sometimes impossible, for these men to make ends meet.

One employee cites his own case as an example, duplicated in other instances, in making his appeal for a living wage. He has a wife and six children, the oldest 14 years, the youngest 3. He receives \$840 per annum—\$70 per month. His lowest minimum expenses per month comprehend: Life insurance, \$7.50; fuel, water, light, \$7; street car fares to work, \$3; county taxes, \$2; total, \$19.50; leaving \$805.50 to be divided into eight equal parts, each member of the family thus being allotted \$6.30 per month for food, shoes, and clothing, with no margin for illness and its attendant expenses. In vouching for the truth of the foregoing a gentleman writes that if the actual conditions were known as to how the husband and wife were denying themselves to educate their children there would be no doubt of a quick remedy being provided.

It has been contemplated to place these employees on the same basis as customs guards in the Treasury Department, to make the entrance salary \$840 per annum instead of \$720, the maximum \$1,080 in lieu of \$840, also to change the designation from "watchmen" to "guards." These positions are covered by third-grade subclerical examinations, and there are approximately 31 receiving \$720 per annum, 26 \$780, and 93 \$840.

The money has been appropriated; the money has been given to the Secretary of Labor. This legislation calls for no additional appropriation. I want to assure the Senator from New Hampshire that if he insists upon his point of order and it is held to be good he will be preventing the Secretary of Labor from performing a duty which, it seems to me, some one long ago should have performed as a matter of justice to these underpaid workmen in the Government service.

Mr. GALLINGER. We have made a great many lump-sum appropriations for all the departments. What would the Senator from New Jersey say if we made the provision general and permitted the head of every department to take those lump-sum appropriations and increase salaries?

Mr. HUGHES. I would not be averse to permitting him to increase the salary of watchmen and men performing laborious service for the Government, because it has been in my experience both in the other body and in this that no one pays very much attention to men who are doing actual labor for the Government in these departments.

Mr. GALLINGER. My observation in the Committee on Appropriations is that the committee pays particular attention

to that class of men. I have been instrumental in getting a good many of those small salaries increased. Has the Senator, I will ask him, made a comparison between the salaries paid those people and similar employees in other departments and in the municipal government of the District of Columbia?

Mr. HUGHES. Yes.

Mr. GALLINGER. I think they are all underpaid.

Mr. HUGHES. I agree with the Senator; but it seems that men in this particular employment, on account of certain regulations, were classified and given the status of customs guards at one time, and an attempt was made to increase certain salaries; but what Congress attempted to do was not done. The net result of it is that these men are underpaid, and because of the provision with reference to lump-sum appropriations they will continue to be underpaid.

Mr. GALLINGER. I will ask the Senator if he presented this matter to the committee?

Mr. HUGHES. I did not get it in time to present it to the committee, but I have presented it to the chairman of the committee, and I presented it so persuasively that he has not yet shown any desire to make a point of order on it or to oppose the amendment. I think he will leave it to the Senate. I sincerely hope the Senator from New Hampshire will not make the point of order. I will say to him I have not the slightest interest of any kind in this amendment. No one will be affected by the provision whom I know personally or so far as my knowledge is concerned who lives in my State, but I have known for a long time that there is a certain class of Government employees who have been underpaid. They are not, perhaps, underpaid as compared with people working for private firms and individuals and corporations, but they are underpaid, it seems to me, from the standpoint of a man who thinks the Government of the United States should be a generous employer and should set an example to other employers.

I am in favor of economy, and I have not joined in any attempt to increase the amounts carried in these appropriation bills. I have not attempted to get anyone's salary raised, and I do not expect to do so unless there are good reasons presented to me. But I have always felt that there is a certain class of Government employees who, because of the character of their employment, are not regarded as particularly important and who do not get the attention that they deserve. These men are of that class.

The Secretary of Labor can be trusted to do this thing. It comes peculiarly within his province. I would scrutinize as cautiously as the Senator from New Hampshire any attempt on his part to raise salaries generally throughout that service, because I know how difficult it is to resist the importunities of men to have their salaries raised. I have helped to get men appointed at a given salary and before the next year they wanted to get twice as much as they were receiving. I have not any particular sympathy with that class, but I want to say to the Senator that I think these men are deserving, and nobody voices their complaint, and they get little or no consideration.

Mr. GALLINGER. I have always found the Senator from New Jersey to be frank and to desire to do the right thing, but I will ask the Senator from New Jersey if he does not realize the fact that if in this indirect way we increase the salaries of certain low-grade and underpaid officials there will be a demand all along the line for a similar increase?

Mr. HUGHES. I will say to the Senator that I would oppose any proposition to give power generally to the head of any department to increase salaries paid out of lump-sum appropriations or to increase salaries in any other way, and I would not be in favor of this proposition if it was not confined to a well-defined class of men, the number of which is known and the amount of money which it will cost to grant the increase is already determined, and it is quite moderate in amount.

Mr. GALLINGER. My observation, which has been largely confined to the District of Columbia appropriation bill, is that when, upon the importunity of some individual Senator or of some influential party outside, we in the goodness of our heart increase the salary of a watchman or messenger, immediately we are bombarded by every individual holding a somewhat similar position for an equal increase, and we can not very well resist it. It will run all through our departments if we increase salaries out of lump-sum appropriations without investigating the matter very carefully as to where it will lead us.

I sympathize with every man in the service who is getting an inadequate salary. I have sought to increase the salary of the men who are getting \$40 or \$50 or in many cases \$60 a month, because I do not see how they could support their families on it; but there are a great many left of that class, and I think we ought to equalize them if we possibly can do it.

It seems to me this simply throws into the equation a very troublesome situation. That is the way it occurs to me.

Mr. HUGHES. I want to call the Senator's attention to the fact that some investigation has been made. I am quoting from a letter from the Secretary of Labor, who calls attention to this particular situation. The lump-sum appropriation provision was a good thing. It has resulted in saving a good deal of money to the Government and was the means of rendering a great service to the people, but it worked hardship in many instances. I had occasion not long ago to go to one of the departments to attempt to get for an employee what was regarded as a deserved promotion. I went to the head of the department and asked to see the record of that employee. It was shown to me. They had recorded in the department the fact that this employee was entitled to a certain salary—say, \$900 a year—though he was then receiving but \$840. They said, however, because of the general language of that lump-sum appropriation provision the increased salary could not be paid, and that the only way it could be paid was for the head of that department, when he went before the committee and submitted his estimates, to have this particular employee in mind, to ask for this increase, and to have it recommended by the committee and granted by Congress. Although the efficiency record of this employee was there, and although they themselves said the employee should receive this amount of money, he did not receive it.

Mr. GALLINGER. I will ask the Senator about how many of these employees are there?

Mr. HUGHES. I will read it again.

Mr. GALLINGER. Well, approximately, how many?

Mr. HUGHES. The expenditure amounts to \$28,000 in all. The money has already been provided. I can not find the exact number of the employees provided for in the bill, but they are comparatively few.

Mr. SMOOT. Mr. President, I want to say to the Senator that it was a long time before we were able to pass section 7 in the law referred to in the Senator's amendment, to do away with the increase of salaries in the different departments of this Government under lump-sum appropriations, which had been abused for years and years. The grossest favoritism had been shown under that practice. I believe the law was a very wise one, indeed; and while all that the Senator from New Jersey [Mr. HUGHES] says may be absolutely true, that every man to whom he has referred should receive an increase of salary, I say to the Senator that this is not the way to grant such increase. It would be opening the door, Mr. President, to the reinauguration of the old practice of increasing salaries by the head of a department to those he might feel inclined to favor.

Mr. HUGHES. I hope the Senator from Utah will not put me in that position, because I have as much regard for the provision of the law to which he refers as he can possibly have; and I would not be urging an amendment to give the Secretary of Labor or any other Cabinet officer of this Government the right to increase any salary he saw fit; but this I regard as a direction from us to him to increase the salaries of certain men who, I submit, are notoriously underpaid.

Mr. SMOOT. I want to say to the Senator that the Secretary of Labor, as well as Mr. McDonald and those who are assisting him, appeared before the committee and made requests for everything they thought their department needed. I say to the Senator now that this question was not brought before the committee; it was not considered; and, again, to be perfectly frank, Mr. President, I will say that if it had been, as a member of the committee, I would have opposed it; but when the next bill is brought before the Senate committee for consideration, if the Secretary of Labor can point out to the committee men holding certain positions, and can show that their qualifications are such that they should receive an advance in salary, I feel positive the committee will sanction it, but not in this way. I do not believe that the Senate will ever again undertake to make lump-sum appropriations, giving authority to the head of any department of this Government to increase the salary of anyone whom he may think proper. It is wrong; and I certainly can not approve of it.

Mr. GALLINGER. Mr. President, in view of the appeal made to me by the Senator from New Jersey [Mr. HUGHES], I will refrain from making a point of order and let the Senator pass upon the amendment. I feel very sure that the Senate will not go back to this bad system, for it is a bad system; it is an invitation to favoritism of the rankest kind. We have legislated on it and we once got rid of it; yet, if the Senate wishes to return to it, the Senate can do it over my vote.

Mr. THOMAS. I should like to ask the Senator from New Hampshire, who has had long experience here, whether he does not think that if we begin this practice it will extend to the other departments?

Mr. GALLINGER. It would extend to every department.

Mr. THOMAS. And that this amendment will be considered as a precedent for the introduction of a similar practice throughout the system?

Mr. GALLINGER. The Senator from Colorado is absolutely right; there is no doubt about it.

Mr. BRYAN. Mr. President, I should like to read into the RECORD section 4 of the last legislative appropriation act. It is as follows:

SEC. 4. That section 7 of the general deficiency appropriation act approved August 26, 1912, be amended to read as follows:  
"SEC. 7. That no part of any money contained herein or hereafter appropriated in lump sum shall be available for the payment of personal services at a rate of compensation in excess of that paid for the same or similar services during the preceding fiscal year; nor shall any person employed at a specific salary be hereafter transferred and hereafter paid from a lump-sum appropriation a rate of compensation greater than such specific salary, and the heads of departments shall cause this provision to be enforced: *Provided*, That this section shall not apply to mechanics, artisans, their helpers and assistants, laborers, or any other employees whose duties are of similar character and required in carrying on the various manufacturing or constructing operations of the Government."

Mr. President, if we give that right to the Secretary of Labor, we certainly ought to give it to the head of every other department.

Mr. GALLINGER. Or we ought to repeal that section.

Mr. BRYAN. We ought to repeal that section or we ought to turn the matter loose to the heads of departments to do as they please with the public money.

Mr. HUGHES. Will the Senator from Florida permit an interruption there?

Mr. BRYAN. Certainly.

Mr. HUGHES. The Senator from Florida has read a provision which I neglected to read, and he has thrown light on this subject by the mere reading of it. That provision really attempts to do what I am attempting to do, and what the Secretary also wants to do under this amendment. It differentiates and takes out of that limitation the mechanics and artisans, and the point the Secretary makes is that these employees are practically mechanics and artisans.

Mr. BRYAN. If they are mechanics and artisans, then the Senator's amendment is not necessary.

Mr. HUGHES. They are not, but they are paid as those men are paid; they come from the same walk of life as that from which those men come, and they should be dealt with in about the same way.

Mr. BRYAN. Mr. President, the Committee on Appropriations always hears the heads of departments very patiently and gives them such increases and such changes of salaries as the committee believes they are entitled to have; and the bill then comes into the Senate for its action. I think it is as little as could be asked of the heads of departments to get up a statement of how much the men under them ought to receive, for they certainly ought to know.

Inasmuch as the Senator from New Hampshire [Mr. GALLINGER] has withdrawn his point of order, I renew the point that the amendment proposes general legislation on an appropriation bill in that it proposes to repeal general legislation upon this subject.

The VICE PRESIDENT. The point of order is sustained.

Mr. WORKS. I move to amend by inserting after line 11, page 166, the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 166, after line 11, following the amendment already inserted at that place, it is proposed to insert.

To install and maintain an outdoor exhibit at the Panama-California Exposition, to be held at San Diego, Cal., during the year of 1915, to illustrate the function and administrative faculty of the Government of the United States pertaining to irrigation and reclamation and their adaptation to the needs of the people, \$75,000.

Mr. MARTIN of Virginia. Mr. President, I make the point of order against that amendment. I think we have dealt very liberally with the California Exposition, and I am surprised that the Senator should come in here at this late hour, without having presented the proposed amendment to the committee—I do not know that it was presented to the committee, at any rate, it was not when I was present.

Mr. WORKS. Will the Senator withhold the point of order for a moment so that I can explain the situation?

Mr. MARTIN of Virginia. My object in making the point of order is to cut off debate. I want to finish the bill to-night, and there are half a dozen amendments yet to be offered.

Mr. WORKS. The Senator is mistaken as to the facts, and I certainly think he does not want to be unjust about it.

Mr. MARTIN of Virginia. I will forego the point of order for a few moments; but I may say it will not do the Senator

any good, because I am going to insist upon the point of order when he concludes.

Mr. WORKS. Very well; that may be.

Mr. President, I proposed this amendment some time ago. I did present it to the Committee on Appropriations, notwithstanding the statement made by the Senator from Virginia, who was present at the time.

Mr. WARREN. Mr. President, I want to say that the Senator from California is correct in stating that he presented the proposed amendment to the committee, but I think the attention of the chairman of the committee was diverted in another direction at the time it was presented to the committee.

Mr. MARTIN of Virginia. I have no doubt the Senator from California is right, but I happened not to be present; I did not know anything of the amendment, and this is the first time I have ever heard of it. I will say that I was away one night, being obliged to go to Virginia.

Mr. WORKS. It was suggested by the committee that an estimate should be obtained from the Secretary of the Interior, and I undertook to communicate with the Secretary upon the suggestion of the committee. I did so, and the Secretary desired to know what kind of an exhibit would be expected. Mr. KETTNER, the Representative in the other House from the San Diego district, had introduced a bill providing for this exhibit. I asked him to confer with the Secretary of the Interior on the subject. He did so, and the following communication was received by him from the confidential clerk of the Secretary of the Interior:

THE SECRETARY OF THE INTERIOR,  
Washington, July 7, 1914.

Hon. WILLIAM KETTNER,  
House of Representatives.

DEAR MR. KETTNER: I am sending to you herewith an estimate prepared by Director Newell of the cost of preparing a model of the Salt River Valley reclamation project.

By direction of Secretary Lane,

Cordially yours,

JOS. J. COTTER,  
Confidential Clerk.

The letter of the Director of the Reclamation Service to the Secretary of the Interior is as follows:

DEPARTMENT OF THE INTERIOR,  
UNITED STATES RECLAMATION SERVICE,  
Washington, D. C., July 6, 1914.

THE SECRETARY OF THE INTERIOR.

MY DEAR MR. LANE: With reference to the San Diego exposition, I have had several talks with Hon. WILLIAM KETTNER, who is greatly interested in the matter of having a working model of one of the reclamation projects, presumably the Salt River Valley project, Arizona, as being the most instructive.

The cost of preparing such a model on the scale desired and one which will show the relative position of the storage reservoir, the diversion dam, and irrigated lands, would be from \$60,000 to \$75,000. It is not practicable to accomplish anything worthy of the effort for much less than this, as shown by the various models which we have had built for other expositions.

For this sum it will be possible to construct on the ground a working model in which water can be run and plants grown by the direct application of the water.

Cordially yours,

F. H. NEWELL, Director.

Mr. President, the San Diego exposition is being held largely for the purpose of exhibiting the plans that have been carried out in part by the Government for the irrigation and reclamation of arid lands, and will be most instructive. Through the Secretary of State invitations were sent to the South American States, which are very much interested in the question of irrigation and reclamation of arid lands; and a number of those States have signified their intention of exhibiting at the exposition.

The people of San Diego have contributed \$2,000,000 toward the carrying out of this project. It is well under way; buildings have been constructed, and the exposition is going to be one that will be a credit to the State and to the country at large.

I should be glad if the chairman of the committee would allow this amendment to be adopted, and take it to the committee of conference, where the Secretary of the Interior can be conferred with on the subject, and it can be determined whether it is a proper appropriation to be made. For that reason, I hope the Senator will not insist upon the point of order. I think the Senator was mistaken as to the efforts I had made.

Mr. MARTIN of Virginia. I will say to the Senator from California that he does not seem to realize the burden he is putting on the conferees in carrying the half-million-dollar appropriation for the Panama-Pacific Exposition. It is very doubtful whether we will be able to sustain it. The Senate, I think, has been very liberal to California, and I am very much afraid, while I am earnestly in favor of the provision respecting the Panama-Pacific Exposition and will do all I can to retain it, that we can not sustain it if we continue on that line further. I can reciprocate the Senator's request to me

by making the request that he withdraw his amendment; I can not withdraw the point of order.

Mr. WORKS. Well, Mr. President, it is hardly necessary for me to withdraw the amendment if the Senator makes the point of order.

The VICE PRESIDENT. The point of order is sustained.

Mr. OLIVER. Mr. President, I offer the amendment which I send to the desk.

The SECRETARY. On page 57, it is proposed to strike out lines 24 and 25 and insert:

For additional facilities for storing artillery ammunition, either by an extension of the present storehouse or by the construction of a new building, \$17,500.

Mr. OLIVER. That amendment adds nothing in the way of an appropriation.

Mr. MARTIN of Virginia. Mr. President, I do not object to that amendment; it does not increase the appropriation.

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

The amendment was agreed to.

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

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 153, after line 8, it is proposed to insert:

To enable the Secretary of Labor to carry out the provisions of Senate resolution 68, agreed to June 30, 1914, directing him to "investigate and report, as far as it is practicable, upon the mortality and the disability by accident or by disease incident to or resulting from the various occupations in which the wage earners of the United States are engaged," the Secretary of Labor is hereby authorized to employ, through the Commissioner of Labor Statistics, such temporary assistance as may be necessary to tabulate the material secured in compliance with Senate resolution 68, to be paid from the appropriation for miscellaneous expenses, Bureau of Labor Statistics, 1915.

Mr. WARREN. Mr. President, I think there is no estimate for that. I will ask the Senator whether it has been estimated for?

Mr. SHEPPARD. The Commissioner of Labor Statistics did not discover that he would need this special authority until two or three days ago. He then wrote me a letter explaining the situation, and I showed the letter to the chairman of the committee. The amendment does not involve any appropriation, but specific authority is required to make the miscellaneous fund available for this particular purpose.

Mr. WARREN. I think the matter ought to be withheld and taken up when the committee can consider it. There is still another appropriation bill to follow.

Mr. SHEPPARD. It does not involve any additional appropriation. I will say to the Senator.

Mr. WARREN. It is a matter of legislation, and I feel that I should make the point of order against it. It may be brought up as an amendment to a following appropriation bill, at which time we will have an opportunity to examine it, but it has not yet had any examination by the committee. I make the point of order that it is not estimated for and that it is general legislation.

Mr. SHEPPARD. I do not think it is subject to a point of order.

The VICE PRESIDENT. There does not seem to be any appropriation involved.

Mr. MARTIN of Virginia. It is legislation, though.

The VICE PRESIDENT. It does not involve an appropriation.

Mr. SHEPPARD. It does not involve an appropriation, and it is in accordance with a resolution passed by the Senate at this session.

Mr. MARTIN of Virginia. Mr. President, it seems to me that the heads of departments ought to communicate with the committee in charge of these bills and not with individual Senators.

Mr. SHEPPARD. Mr. President—

The VICE PRESIDENT. Just one moment. The Chair assumes that a Senate resolution instructing or authorizing a certain investigation to be made is as binding on the Senate as a law or anything else, and it seems to the Chair that the proposed amendment is simply to carry out the provisions of a Senate resolution.

Mr. MARTIN of Virginia. I call attention to the fact that a Senate resolution is not the law. It has not the semblance of law. It takes the action of both Houses of Congress and the approval of the President of the United States to make a law.

Mr. SHEPPARD. If I had known the chairman would have objected, I would not have presented it. I understood he would have no objection to it. I understood that I had explained it to him satisfactorily.

Mr. MARTIN of Virginia. I have been so occupied, Mr. President, in attending to matters before the Senate that when Senators come and talk to me I frequently do not take in what they are saying. My recollection is I told the Senator he must see me when I could listen to what he was saying. I am without information regarding the matter. I have no objection to its being adopted. I do not know anything about it. I do not know now, from the hasty reading of it at the desk; I have a very imperfect comprehension as to what the Senator is driving at.

Mr. SHEPPARD. Mr. President, the matter is a very simple one.

Mr. MARTIN of Virginia. I understood, from a hasty reading, that it did involve an appropriation.

The VICE PRESIDENT. The Chair sustains the point of order made against the amendment.

Mr. SHEPPARD. Mr. President, will the Chair please state on what ground?

The VICE PRESIDENT. Yes; on the ground that upon an examination it is for the payment of money out of money appropriated; and, also, that it has not been estimated for.

Mr. SHEPPARD. I will state that I do not seem to get the same treatment from the Appropriations Committee that other Senators do. Senators have been offering these amendments all day. It is not due to any fault of the head of the department that he did not communicate with the chairman of the committee. It is my fault, if there is any fault in it at all.

Mr. MARTIN of Virginia. Mr. President, I am very sorry the Senator takes that view, but it is entirely agreeable to me if he desires to do it. I have offered him no discourtesy of any sort. I have been anxious to aid him as far as I could, but I was entirely without information. When he talked to me, I was attending to a matter before the Senate and I could not take it in, and I simply made the point now. That is all I have said to the Senator on the subject.

Mr. SHEPPARD. Mr. President, I did not understand the Senator to say that I should have presented the matter to him again, else I should have gladly done so.

Mr. NEWLANDS. Mr. President, I move to strike out "\$5,000," on line 11, page 77, and to insert in lieu thereof "\$7,500." This appropriation is for the expenses of the Commission of Fine Arts.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 77, line 11, it is proposed to strike out "\$5,000" and to insert "\$7,500."

Mr. NEWLANDS. Mr. President, I will state that this commission is entirely—

Mr. MARTIN of Virginia. I will say to the Senator, if it is agreeable to him, that I have no objection to the amendment. It has been estimated for, and it is simply for the difference between \$5,000 and \$7,500. I am very willing to have it adopted.

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

The amendment was agreed to.

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

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 20, after line 9, it is proposed to insert a new paragraph, as follows:

Washington, D. C., National Archives Building: For employment of technical and engineering services in the Office of the Supervising Architect, for the preparation of designs and estimates for the National Archives Building, as authorized in the public-buildings act approved March 4, 1913, without regard to civil-service laws, rules, or regulations, \$5,000.

Mr. MARTIN of Virginia. I am perfectly willing to have that amendment adopted. It is in pursuance of existing law and has been estimated for.

Mr. POINDEXTER. I ask leave to print in this connection a statement prepared by W. G. Leland with regard to the need of this building.

The VICE PRESIDENT. Without objection, that may be done.

The matter referred to is as follows:

PRESENT CONDITION OF THE GOVERNMENT ARCHIVES.

(Statement by Mr. W. G. Leland, of the Carnegie Institution, joint author of its "Guide to the Archives of the Government of the United States in Washington.")

Long-continued neglect to provide for the proper care of the records of the Government has been attended with the most unfortunate consequences, which might have been clearly foreseen.

Repeated warnings as to these consequences have not been lacking from the earliest days of the Government. In 1800 the archives of the War Department were destroyed by fire; in 1833 the most important part of the archives of the Treasury Department were similarly destroyed, and in 1877 the same fate befell the material in the Patent Office. It is a matter of common report that during the Civil War great quantities of documents stored in the Capitol were actually thrown away in order to provide soldiers' quarters, and that at a later

date the archives of the House of Representatives were systematically looted for papers having a market value, such papers being sold to dealers in autographs.

The fact that the governmental records are scattered among over a hundred depositories gives rise to the greatest confusion. It frequently happens that one part of a series of documents is held by one office or bureau, and another part of the same series is in the possession of another bureau, which is perhaps not even in the same department. Such is the case of the Territorial archives, among the more valuable historically of the groups of papers. A portion of these papers is in the State Department, another portion in the Department of the Interior, and there is a tradition that another portion has been lost somewhere between the two departments. In the State Department most of the papers relating to claims are in a certain bureau, but the balance, without any logical reason therefor, are in another. It is generally believed that the archives of the Indian Office suffered greatly at the time of their transfer from the War Department to the Department of the Interior. Often only the vaguest ideas are possessed by officials as to the location of records that have once been or should now be under their care. In the development of the governmental machinery the records of bureaus have been divided, transferred, consolidated, and too often lost. Papers that have been temporarily transferred for special purposes have sometimes not been returned to the office from which they came, as in the case of a considerable body of material sent to the Capitol from the War Department about 1850, and thereafter lost sight of.

Another result of the scattering of the archives is great diversity in methods of administration. To have a hundred depositories of archives means to have a hundred archivists, each with his own ideas respecting the care of such material. In one office a certain method of filing is employed; in another a totally different method. In some places the material is as well cared for as circumstances permit, while in others it is as completely neglected as possible. In one bureau will be found satisfactory knowledge respecting the records, in another the most distressing ignorance. In short, it can never be assumed that any queries, whether arising from within the Government or from without, can be answered or even that the material in which the answer should be found can be located.

Not only are the archives of the Government thus scattered and disorganized, but they are in some cases in serious danger from fire; in others they are slowly or rapidly deteriorating and going to pieces from the effect of damp or heat; in others they are being damaged by crowding, by dirt, or by careless handling; in still others they are in danger of being condemned as useless papers, because not being used in current business they encumber offices already overcrowded, and the easiest way of taking care of them is to destroy them.

That valuable records have already been destroyed by fire at various times is a matter of history. That other records are exposed to constant risk will hardly be questioned by anyone who examines the so-called Cox and Winder Buildings, and as it is a notorious fact that the buildings of storage companies are frequently burned the great mass of records of the Treasury Department on E Street can hardly be said to be exposed to no risk at all. In case of a serious fire breaking out in any one of half a dozen localities in Washington the Government would lose vast quantities of records. This, it is obvious, might entail the loss to the Government of millions of dollars. Nor are records preserved in the main departmental buildings themselves wholly free from danger. They are kept for the most part in wooden cases in rooms filled with combustible materials. Smoking is not infrequently allowed in close proximity to or even among the records; in the wintertime open fires of wood are kept burning.

When, as in the Treasury, State, War, and Navy, and Interior Department Buildings, there are papers stored in the attic, they become, under the influence of the summer heat, as dry as tinder, and it would take but little to start a fire that would consume entirely the records of certain bureaus before it could be controlled. On the other hand, there are various bodies of archives that are kept in close proximity to furnaces and boilers, and are thus exposed to constant risk.

But the danger from fire is not all. Thousands of volumes of papers have been found stored in places so damp that the water, oozing from walls and ceilings, dropped upon them, and these books were so covered with mold that the titles could not be read. The pages of such volumes were damp and stuck together. Great masses of important materials in the Land Office have had to be stored where they received the drippings from steam pipes, or where they collected thick coatings of dirt. Papers stored in attics often become so dry and scorched that the paper crumbles at the touch, while those in the cellars frequently mold and rot into pulp. In most of the departmental buildings a great deal of material has to be stored in the corridors—or anywhere where there is a cubic foot of space. Papers have to be stacked up in bundles like cord wood, or even—as has been known to be the case—thrown down into huge piles.

Under such conditions it is no wonder that there is a temptation to condemn as useless large bodies of material that may still have historical value. Some 10 tons of Confederate archives, as well as the original census schedules, were once thus condemned, but were fortunately saved. The Government is now printing some of the census schedules that so narrowly escaped going to the paper mill.

Worst of all, perhaps, from the point of view of the public business, is the tremendous waste of energy, time, efficiency, and money resulting from such conditions. When, for example, certain papers are desired from among the files of the Secretary of the Treasury, search has to be made in the subbasement and in the attic of the Treasury Building, as well as in a commercial storage building half a mile away. In many cases finding a paper involves hunting with a candle or with an electric drop light through stack after stack, climbing ladders, untying bundles, searching in out-of-the-way corners, taking down huge piles of papers, until the document is finally run down. In case it is not found, there is no assurance that it is nonexistent. When conditions are as have been described, ability to find anything is possessed solely by one or two employees. Search by the uninitiated is well-nigh useless, and in the absence of the one or two who hold the key to the situation, only the most obvious things could be found.

Such a state of affairs is the direct result of lack of room and of nothing else. In general the chiefs of bureaus and the clerks in charge of files have done as well as could be expected, but it is not to be expected that much can be done in cellars and attics and storage buildings and corridors.

It is perfectly possible, a suitable building being provided, to arrange all the records and files of the governmental offices in an orderly and systematic way, to insure their absolute safety from fire, damp, dirt, and neglect, to devise a system of finding lists and indexes that will enable any document called for to be found in a few minutes, and to insure for the future uniformity and consistency in the matter of making and filing records.

Such provision would do much to relieve the congestion in the departmental buildings; it would enable the public business to be transacted with greater efficiency and with saving of time and energy; and what is not wholly to be overlooked, it would make available for historical purposes a great body of archives.

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

The amendment was agreed to.

Mr. BRANDEGEE. Mr. President, I should like to ask the chairman of the committee for some explanation of section 11, on page 197. I will state, while he is turning to the paragraph, the object of my inquiry. I shall have to read two or three lines to make my point. It provides:

That no part of any money appropriated by this act shall be used during the fiscal year 1915 for the purchase of any typewriting machine at a price in excess of the lowest price paid by the Government of the United States for the same make and model of machine during the period of the fiscal years 1913 and 1914.

I understand that the same provision was in the legislative bill, which I have before me; and I assume, from its repetition in this bill, that it is the policy of the committee to incorporate it in every appropriation bill where any money is appropriated for the purchase of typewriting machines by the Government.

What I want to suggest to the chairman is this: I have heard that a certain make of machine, or certain makes—I am not sure which—have changed the model of their machine a very little, but it is substantially the same machine. They have made just a slight change in the model. Under this provision, if it stands as it is, every make of typewriting machine which remains the same would have to be sold at the lowest price for which it has ever been sold to the Government, even if that price was a special price; whereas the one maker who has made a slight change in his model would not be subject to this restriction and limitation and would practically have a monopoly on all of the Government purchases of machines.

I will say to the Senator that I have no interest whatever in the matter, and I may not be correct in the facts; but I have simply heard that. I was going to ask, therefore, if the chairman would be willing to insert enough of an amendment here to carry the matter to conference, so that he can make inquiry about it.

I suggest, in line 5, after the fourth word from the end of the line, the word "and," the insertion of the words "substantially the same," so that it will read "substantially the same model."

Mr. MARTIN of Virginia. I am satisfied to accept that amendment.

Mr. BRANDEGEE. Then I know the chairman will have a chance to look it up in conference.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 197, line 5, before the word "model," it is proposed to insert "substantially the same."

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

The amendment was agreed to.

Mr. KENYON obtained the floor.

Mr. CLAPP. Mr. President, before the Senator proceeds I wish to suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Hitchcock	Nelson	Smith, Ariz.
Brady	Hughes	Newlands	Smith, Ga.
Brandegge	James	Overman	Smith, Md.
Bryan	Johnson	Page	Smoot
Burton	Jones	Perkins	Swanson
Catron	Kenyon	Poindexter	Thomas
Chamberlain	Kern	Ransdell	Thompson
Chilton	Lane	Saulsbury	Walsh
Clapp	Lee, Md.	Shafroth	Warren
Colt	Martin, Va.	Sheppard	White
Gallinger	Martine, N. J.	Shively	Williams

The VICE PRESIDENT. Forty-four Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators; and Mr. DILLINGHAM, Mr. HOLLIS, Mr. POMERENE, Mr. REED, and Mr. SHIELDS answered to their names when called.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

Mr. WALSH. Mr. President, I understand the Senator from Iowa desires to make some remarks on the bill. I have an amendment which I wish to present, with his permission.

Mr. KENYON. I yield to the Senator from Montana.

Mr. WALSH. I occupy the unique position of offering an amendment the purpose of which is to reduce the expenditures of the Government and not to increase them.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 125, after the word "Oregon," in line 18, it is proposed to insert "or Montana."

Mr. WALSH. I will explain the amendment. An amendment was introduced the other day the effect of which is to reduce the salary of the clerk of the district court for the State of Oregon from \$7,000 to \$3,500. In the year 1908 a clause was put in an appropriation bill fixing the salary of the clerk of the United States district court for the State of Montana at the same figure as that of the State of Oregon. Now that Oregon has come down, it is quite appropriate that Montana should come down as well.

In this connection, however, I desire to say that there are eight other Western States that are in the same situation, and I trust that some time soon a general act will be passed covering them all.

I do not desire to let the opportunity pass, however, without saying that the present occupant of the office in the State of Montana has filled the place for a period of 20 years and has been uniformly courteous in the discharge of his duty and exceedingly efficient therein; but it is eminently unjust that he should receive a salary of \$7,000 a year while the judge of the court gets only \$6,000. Three thousand five hundred dollars is a very fair and reasonable sum.

Mr. MARTIN of Virginia. I agree to the amendment offered by the Senator from Montana.

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

The amendment was agreed to.

The SECRETARY. Also, on the same page, line 22, after the word "Oregon" it is proposed to insert the words "or Montana."

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

The amendment was agreed to.

Mr. KENYON. Mr. President, I feel that it would be a crime to detain the Senate here at this time of night. I very much hoped the bill could go over until to-morrow; but as the chairman of the committee is of the opinion that it ought to be acted on to-night, I will only take the time that it seems to me a sense of public duty requires to call attention to the river and harbor appropriations in this bill. I do that in place of calling attention to this when the river and harbor bill is reached only because I feel that a discussion of it at that time would not be as appropriate. I shall take, however, only a very few moments. Of course, I know that anything said here will have no effect; but I am anxious that the country shall understand the river and harbor bill and its connection with this bill.

This bill carries \$6,990,000 for rivers and harbors. The House river and harbor bill carried \$13,289,000.04 of cash, and of obligations \$32,897,871. This bill carries \$6,990,000, as I have suggested, and the increases of the Senate in the river and harbor bill amount to approximately \$10,312,000, running the total river and harbor appropriations up to something like \$93,000,000.

Mr. NELSON. Mr. President, I wish to correct the Senator from Iowa.

Mr. KENYON. I shall be glad to be corrected.

Mr. NELSON. The Senator is under a misapprehension. This comes from the fact that in the various river and harbor bills for years there has been a provision for continuing contracts; and there were no more of those continuing contracts in any bill than in the bills that were gotten up by the Senator from Ohio [Mr. BURTON] when he was chairman of the Committee on Rivers and Harbors of the House.

If the Senator will look up the matter he will find that some of these appropriations come from continuing contracts away back in that act in 1907, and he will find it perhaps in some older acts than that. That is how those appropriations come to be in the sundry civil bill. It is because the river and harbor bill from year to year has provided for continuing contracts and contracts have been made, and this year an appropriation to pay for what has been contracted for has been in the sundry civil bill. That is a thing we have inherited from the continuing contract system.

Mr. KENYON. It is a very bad inheritance. I think the relation is not generally understood in the country as to the appropriations in this bill and the river and harbor bill and as to why this bill should carry certain appropriations that might come in the river and harbor bill. The Senator from Minnesota may have made that clear to some. It is not to me.

I am at a loss, too, to understand, Mr. President, for instance, the items for the Ohio River. This bill carries for the Ohio River below Pittsburgh \$1,976,000, and for continuing improvement in the Ohio River by the construction of locks and dams, \$2,200,000. The river and harbor bill proper carries some \$3,000,000 for the Ohio River in contracts and \$2,000,000 in cash. So we are appropriating for the Ohio River approximately \$9,176,000. The commerce on the Ohio River decreased

34 per cent between 1905 and 1911. It was 13,000,000 tons in 1905, 11,000,000 tons in 1906, 8,000,000 tons in 1912, and only 10 per cent of that 8,000,000 went through the canal at Louisville, and only about 1 per cent of high-grade freight goes through the canal in any event.

Now, we are embarking on a proposition as to the Ohio River, or we have embarked on it and ought to stop, that will entail a cost upon this country, according to the report of an examination of the Ohio River made by a board of engineers, of some \$63,000,000, and that for a constantly decreasing traffic.

I think I will not read that part of the report at this time, but will read it in the discussion of the river and harbor bill. The locks and dams are to be constructed at an estimated cost of \$63,731,488, with a maintenance of \$810,000 per annum for the 9-foot project.

Mr. President, I know that everybody who objects to appropriations is placed in the category of cranks and reformers, but I can not understand how we can go ahead appropriating these large sums of money, as in the case of the Ohio River, under the theory that it may be a competitor of the railroads in fixing rates. It is too expensive to employ a competitor of this kind.

Mr. GALLINGER. Mr. President—

Mr. KENYON. I yield to the Senator.

Mr. GALLINGER. Do I understand the Senator to say that we are now obligated to pay \$63,000,000 in addition to what has been appropriated?

Mr. KENYON. I am not clear that we are obligated. That is for the canalization of the Ohio River, which the engineers have recommended and that we are proceeding to put into effect, and this bill carries many millions for that purpose. Many millions more have been spent on this project in years gone by, and we are now committed to the enterprise of canalizing the Ohio River at an expense of \$63,000,000. I think it very wrong.

Mr. GALLINGER. It is agreed that the projects recommended will cost \$63,000,000?

Mr. KENYON. That is, in construction. My amendment I have introduced—and I am embarrassed with this discussion, and I am going to get through very quickly with what I have to say—did not relate to the Ohio River, but it related to the Passaic River in New Jersey. I discussed the Ohio project in passing. This bill carries \$92,000 for that river, while the river and harbor bill carries \$150,000. That improvement, whether intended or not, will possibly help to reclaim or improve for a land scheme near Newark, N. J., some 33,000 acres of land. The matter is now somewhat in litigation, and I have here some of the court records and comments of papers as to the plan and scheme of freezing out certain bondholders. For the improvement of the Passaic River this large sum that we are spending and have spent may be in the interests of navigation, but at the same time it increases the value of these 33,000 acres some 40 per cent. That improvement benefits that land, and the burden of it ought to be borne partly by the land that is improved. There ought to be some cooperation in these river and harbor appropriations, especially where land is reclaimed.

The amendment I rose to present was to strike out the sum of \$92,000, inserting one-half of that conditioned on a contribution of \$46,000 from the local interests, which amount should be paid to the Secretary of War by the local interests before any part of this sum is used. That is on the theory and the principle that there should be cooperation in any plan and scheme of river improvement where land is benefited as well as navigation.

Mr. THOMAS. I should like to inquire of the Senator if he does not think there is a great deal of cooperation in this bill?

Mr. KENYON. I do not think it would ever pass if there was not.

I must call attention also to the item in passing on page 79, Puget Sound and Lake Washington waterway. We have spent on this project nearly \$3,000,000. The total project, as I understand the figures of the engineers, will cost \$3,554,000. I do not know just what the project is, except lowering a lake to the level of the ocean, but the report in volume 3 of the Chief of Engineers of the Army shows a commerce of short tons of 112,810, and of that approximately 106,000 were logs, piling, and poles—lumber for which navigation is not required. But the Chief Engineer in the engineer's report says that seven steamers of various tonnage, respectively, travel to and from the different points on the lake during the year, carrying 687,501 passengers.

I may be wrong, but it seems to me that this is merely a passenger-boat affair coupled with some kind of a sawmill project.

Mr. JONES rose.

Mr. KENYON. I see the Senator from Washington rising and I yield to him.

Mr. JONES. Mr. President, I have simply risen to state to the Senator the facts with reference to that situation.

The Lake Washington Canal is a canal connecting Lake Washington with Puget Sound, and in order to do that there must be a lock and canal constructed. It is not for the purpose of passenger boats but for the purpose of commercial traffic. There has been no traffic over this line of this canal except logs.

Mr. KENYON. No passenger traffic?

Mr. JONES. No passenger traffic except on the lake itself. It was connected with the ocean or Puget Sound simply by a runway, and the line where the canal and lock are constructed is simply along this outlet from the lake into Puget Sound, and there has been no traffic between Puget Sound and the lake for the same reason there has been no ship traffic across Panama. The locks and the canal have not yet been constructed, and until they are completed there could be no traffic except that logs might be floated down.

Mr. KENYON. Does the Senator think there ever will be any?

Mr. JONES. There is no question about it. Lake Washington is simply back of the city of Seattle, practically a part of the city. The canal and locks will connect that lake with Seattle and with all the Puget Sound commerce, foreign and domestic. A great part of that commerce it is expected will go through this canal into the fresh water lake.

Mr. KENYON. Will tolls be charged?

Mr. JONES. There will be no tolls on that canal, under the law of 1884, and that we thought applied to all our canals. It seems it does not.

The cost of these locks and the canal, as the Senator pointed out, will be about \$3,000,000. All the money has been appropriated for the completion of the work, and the lock is now almost completed. It is the largest lock in the country outside of those in the Panama Canal.

I want to call the Senator's attention to what our people have done out there with reference to this proposition. We have been cooperating on the principle suggested by the Senator a moment ago, and I will say that nearly all along the Pacific coast, at least in the State of Washington, there has been cooperation in a great many of these river and harbor projects. Under a law that our legislature has passed, port commissions have been created in different localities, and they have been levying taxes that they may use in conjunction with the appropriations made by the Federal Government in the carrying on of these local improvements.

Mr. KENYON. What about the local contributions to this project?

Mr. JONES. That is just what I am coming to right now. In the first place, the county of King, in which is located Seattle, purchased a right of way for the canal at a cost of \$250,000 and donated it to the Government under a provision of law requiring them to do it or making this a condition of the original appropriation. Then, when provision was made for the construction of locks, the county of King, or at least the local authorities there, contracted with the Government to do all the excavation, and they have done it.

My recollection may not be exactly right about it, but it is my recollection that the county of King or the city of Seattle voted \$1,000,000 in bonds, and that money has been used by the locality for the excavation necessary to connect the lock with the lake. So the local authorities have put up possibly a million and a half dollars already in connection with this improvement, showing their interest in it, and their faith in it, and their willingness to do their part toward the work.

When the work is done there will be a fresh-water harbor, and domestic and foreign commerce will go through the locks and canal; and in addition to this traffic that is on the lake, that is referred to there, and which is even greater than I expected, there will be this large Puget Sound and Seattle commerce going into this fresh-water lake, so that this is one project that I think is not only a great benefit to the commerce of the country, but also one in which the locality has certainly contributed its part. This is a meritorious project, and the locality has shown its faith in it by its cooperation, and the future results will fully justify the large expenditure, both on the part of the locality and the National Government.

Mr. KENYON. That is one of the best defenses I have heard of any of these projects.

Mr. BURTON. I think, for the sake of greater clearness, it would be well to add to what the Senator from Washington has said. Lakes Union and Washington are two separate lakes. Lake Union covers less than a thousand acres. Lake Washington is of considerable size—at least 8 or 10 miles in length.

Mr. JONES. It is about 29 miles in length.



Mr. BURTON. That is, if you go around the outer fringe of it. The approach to it from the deep water of Puget Sound leads to Shilshole Bay and Salmon Bay. The exact estimate for this improvement was \$3,554,000. It involves the building of a lock 825 feet long at the mouth of the waterway leading into Puget Sound. It has been agreed that the Government should construct that lock at a cost of about \$2,500,000, and that the county of King or the city of Seattle should dredge the channel and make the excavation from that point to Lake Union and then to Lake Washington. Lake Washington is on a higher level than Lake Union. In carrying out the project it will be necessary to lower the level of Lake Washington.

Mr. KENYON. That is being done?

Mr. BURTON. Yes; by the county of King. Of course the object of this improvement is to provide additional harbor facilities for Seattle. There is a considerable water front along the front of the city on the Sound. The tide, however, is very considerable. It is some 14 feet, as I recall it, but differing at different times, and that is a disadvantage in handling boats. These two lakes will afford a fresh water inland harbor, where wharves may be constructed, and especially where there will be no rise or fall of the tide. It is estimated that the lock will cost about \$2,500,000, the digging of the canal or channels to Lake Washington about a million.

While the claims of the city of Seattle were recognized in 1907 and prior years, there had been no appropriation for that part of the harbor which fronts on Puget Sound. In fact, no appropriation was needed for there was ample depth, yet the appropriation of \$3,554,000 seemed very large to the House committee in those years. The project was nevertheless adopted in 1910. It is not without merit. The obstacle to its earlier adoption was the large amount required.

I will say while on my feet in regard to the Passaic River that I think there is no ground for striking out this provision here. This improvement was adopted in the year 1907. There was a project involving an expenditure, according to the estimate, of \$1,216,775 to provide a channel from deep water in Newark Bay 9.7 miles up the Passaic River to and into the city of Newark and an additional channel of  $1\frac{1}{2}$  miles beyond that. The 9.7 miles were to have a depth of 16 feet and a width of 300 feet, and the  $1\frac{1}{2}$  miles above that a somewhat lesser depth and width. That was regarded in 1907 as a very desirable improvement. There is a tonnage of between two and three millions in the Passaic River up to the very prosperous city of Newark.

On examination, it was found that the work could be done for less than \$1,216,775, because of finding a place near at hand where the spoil could be deposited. The revised estimate was \$850,000.

Mr. GALLINGER. Spoils?

Mr. BURTON. That is used in the sense of something taken out of the channel—the dredged material.

Mr. KENYON. The Senator had better not use that term.

Mr. BURTON. I think the words "dredged material" would be less open to criticism at this time.

Mr. KENYON. I suggest to the Senator that the river and harbor bill carries an appropriation for that river. We will discuss the question on that bill.

Mr. BURTON. I think, when we reach the river and harbor bill, it had better be examined into. All of the \$850,000 appropriated and authorized must be carried in the river and harbor bill or the sundry civil bill except the \$92,000. That is the last of the amount appropriated or authorized, and if any more money is to be expended, it will be a new item.

Mr. HUGHES. I understood the Senator from Ohio to inform the Senator from Iowa that this appropriation of \$92,000 was authorized in the act of 1907.

Mr. BURTON. In the act of 1907.

Mr. KENYON. We will discuss that when we discuss the river and harbor bill.

Mr. HUGHES. The particular appropriation of \$92,000 to which the Senator called attention and which compelled me to make a comment upon the Senator's statement was, as the Senator from Ohio says, authorized by the river and harbor act of 1907, which has been adverted to in this discussion as being a model bill. I want to say for myself that I think it was a good river and harbor bill, and I am sorry that the policies initiated in that bill have not been adhered to.

Mr. KENYON. I am not prepared to dispute the Senator's statement.

Mr. BURTON. The appropriation for \$150,000 carried in the pending river and harbor bill now before the Senate is evidently on a new project, but the \$92,000 here is on a project

which was thoroughly examined at the time, and I think it a very meritorious project.

Mr. KENYON. Mr. President, this simply illustrates how unfair it is, both to the Senate and to the person who is trying to discuss this bill, to be forced into a discussion at this time of the night.

Mr. GALLINGER. Mr. President—

Mr. KENYON. I was going to proceed for a few moments, but I will yield to the Senator.

Mr. GALLINGER. If the Senator will yield, I want to ask the Senator from Washington a question about the Puget Sound-Lake Washington project. I was in Seattle probably 15 years ago or thereabouts, and I was taken out by a committee of distinguished gentlemen who pointed out to me, pretty much as the promised land was pointed out to Moses, the great desirability of making this connecting waterway; but, as I understood, it was then designed for the purpose of having ships go into fresh water for the purpose of getting rid of the barnacles on them. That was their argument. Am I correct?

Mr. JONES. That is one of the arguments. That was one of the purposes.

Mr. GALLINGER. That was the argument then made. I want to ask the Senator if that project has been enlarged to the extent of contemplating the building of docks along the borders of the lake and developing commerce?

Mr. JONES. There is no question but that a great part of the lake frontage will be used for docking and commercial purposes.

Mr. GALLINGER. I was just wondering whether the project had been enlarged, because I know the argument, as presented to me at that time, was that it was extremely desirable to get our ships into fresh water to rid them of barnacles which they had gathered at sea, and that it would be an almost incalculable advantage to the shipping interests of the Puget Sound region if that improvement were made.

Mr. JONES. That would be a very great improvement; but the city of Seattle has grown so rapidly in that time that the necessity for docking facilities is also very great. This will be used for that purpose.

I did not intend to go into the details in connection with the matter quite so much, but will make just one further suggestion in addition to what the Senator from Ohio [Mr. BURTON] has said, so as to make the matter entirely clear.

This lock, as the Senator has said, is placed below Lake Union. There are two lakes—Lake Union, first, on Puget Sound, and then Lake Washington. My recollection is that the lock raises Lake Union some 7 or 8 feet and that Lake Washington is lowered about 7 feet, bringing the two on a level.

At first it was contemplated that we should have a lock between Puget Sound and Lake Union, and then another between Lake Union and Lake Washington, but that project has been changed, until finally the existing project which the Senator has described has been adopted, and I think it will probably commend itself to the Senator when I state that the project as now carried out has the approval of the able Senator from Ohio.

Mr. BURTON. The approval; but not while I was connected with the River and Harbor Committee to the extent of this \$3,554,000; no.

Mr. JONES. My recollection is that the Senator, while he was chairman of the committee—and I was a member of the committee at the time—accepted this project.

Mr. BURTON. It was later than that.

Mr. JONES. I know the final appropriation was not made, but the contract and the agreement between the Government and the county of King and the city of Seattle for cooperation was adopted.

Mr. BURTON. I only thought that something should be done.

Mr. JONES. I know the Senator thinks it is a pretty good project.

Mr. KENYON. Mr. President, if we may pass over that for later discussion, I will read another provision in the pending bill, as follows:

Improving Sabine-Neches Canal, Texas: For continuing improvement of sections "a" and "c" from Port Arthur Canal to mouth of Neches River and from mouth of Neches River to Beaumont, in completion of contract authorization, \$93,000.

For continuing improvement of section "b" from the mouth of Neches River to the mouth of Sabine River and up Sabine River to the town of Orange, in completion of contract authorization, \$43,500.

Mr. President, we have spent in and around Sabine Lake on these various projects over \$6,000,000. I merely call attention to that in passing.

For Houston ship channel, Texas, this bill carries \$200,000. The river and harbor bill likewise carries \$200,000. We have

expended on this project \$2,000,999.35, and the engineer in his report says:

The effect of this project on freight rates is unknown and is indeterminate because of a railroad rate differential in favor of Houston, authorized by the railroad commission of the State of Texas.

Therefore, if this is a proposition to regulate railroad rates, we have spent over \$2,000,000 there, and it has amounted to nothing, according to the report of the engineer, in the regulation of rates.

Providence River and Harbor I should like to refer to if time permitted. I will do so in the discussion of the river and harbor bill as the hour is now late. Those Democrats who have talked a good deal about a subsidy in relation to the Panama Canal—and I joined them on that proposition—ought to look into this question of Providence Harbor and other harbors, where the water frontage is owned practically entirely by the railroads; and we are voting money for the improvement of harbors where, in many instances, there are no public docks at all. The next is the last item to which I shall refer:

Improving channel between St. Johns River and Cumberland Sound, Georgia and Florida: For completing improvement, \$51,000.

We have spent on this project \$950,000, and here is the result—I am reading from the report of the Chief of Engineers, United States Army, 1913:

No formal project for this improvement has ever before been adopted, but between 1828 and 1880 the sum of \$97,565.55 was expended by the United States in dredging Kingsleys and Gunnisons Cuts and in dredging various shoals between Nassau Sound and the St. Johns River. As a result of this work a narrow tortuous channel, 4 feet deep at mean low water, was secured. Shoaling has occurred in points along the waterway, so that at the present time there is only 2½ feet of water available at mean low water. The navigation of the waterway is, furthermore, seriously hindered by the numerous sharp bends.

So that is what we have secured there—a narrow, tortuous channel by the expenditure of \$97,000.

Mr. President, I am going to keep faith and will not occupy further time. I am not to blame for taking this much time, for I have been interrupted. I have gone on in a very unsatisfactory way, but I did want to call attention to some of the river and harbor appropriations in this bill, and I shall refer to them later in the river and harbor bill, if I reach the discussion of that measure, which is contingent upon the Senator from Ohio [Mr. BURTON] completing his remarks on that bill during the present session. My amendment can then be introduced, so I will withdraw it for the present.

Mr. SHEPPARD. Mr. President, I desire to withdraw anything I may have said this afternoon that seemed to be a criticism of the chairman of the Appropriations Committee or of any member of that committee. I have the highest regard for every member of the committee, and I do not believe that the chairman or any member of the committee would intentionally discriminate against any Senator. The misconception under which I was laboring was due to a misunderstanding on my part. I cheerfully make this statement.

Mr. MARTIN of Virginia. Mr. President, I am certainly glad to hear the disclaimer of the Senator, and I assure him that I have no feeling whatsoever about the matter. I feel sure that anything he may have said was entirely due to momentary irritation.

Mr. POINDEXTER. Mr. President, on page 125, line 18, after the name "Oregon," I move to amend by inserting the name "Washington." I will state that the State of Washington is in the same category as are the States of Oregon and Montana in that regard.

Mr. MARTIN of Virginia. I accept the amendment. It is a reduction of expenses.

Mr. WARREN. I will ask the Senator to which district in Washington he refers? There are two districts there.

Mr. POINDEXTER. That would include both districts—the eastern and the western.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Washington.

The amendment was agreed to.

Mr. WALSH. In connection with the amendment offered by me, in line 22, on page 25, I think the conjunction should be "and" instead of "or." I ask that that change be made.

The VICE PRESIDENT. In the absence of objection, the amendment will be modified in accordance with the suggestion of the Senator from Montana.

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

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

#### HOOR OF MEETING TO-MORROW.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. The motion was agreed to.

#### EXECUTIVE SESSION.

Mr. SHIVELY. 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 five minutes spent in executive session the doors were reopened, and (at 6 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Thursday, July 9, 1914, at 11 o'clock a. m.

#### NOMINATIONS.

##### *Executive nominations received by the Senate July 8, 1914.*

#### SECRETARIES OF EMBASSIES.

George L. Lorillard, of Rhode Island, now secretary of the legation at Buenos Aires, to be secretary of the embassy of the United States of America at Buenos Aires, Argentina, to fill an original vacancy.

Sheldon L. Crosby, of New York, lately secretary of the legation and consul general at Bangkok, to be second secretary of the embassy of the United States of America at Madrid, Spain, to fill an original vacancy.

Hugh R. Wilson, of Illinois, lately secretary of the legation at Guatemala, to be second secretary of the embassy of the United States of America at Buenos Aires, Argentina, to fill an original vacancy.

#### SECRETARIES OF LEGATIONS.

Robert B. Davis, of Petersburg, Va., to be secretary of the legation of the United States of America at Port au Prince, Haiti, to fill an original vacancy.

William P. Cresson, of Nevada, now secretary of the legation at Quito, to be secretary of the legation of the United States of America at Panama, Panama, vice Cyrus F. Wicker, appointed secretary of the legation at Managua.

Oscar L. Milmore, of the District of Columbia, to be secretary of the legation of the United States of America at Asuncion, Paraguay, to fill an original vacancy.

H. F. Arthur Schoenfeld, of the District of Columbia, now secretary of the legation to Paraguay and Uruguay, to be secretary of the legation of the United States of America at Montevideo, Uruguay, to fill an original vacancy.

#### PROMOTIONS IN THE ARMY.

##### MEDICAL CORPS.

Capt. William L. Keller, Medical Corps, to be major from July 4, 1914, vice Maj. Roderic P. O'Connor, resigned July 3, 1914.

#### APPOINTMENTS IN THE ARMY.

##### MEDICAL RESERVE CORPS.

##### *To be first lieutenants with rank from July 6, 1914.*

John Henry Beckert, of Arizona.  
Harry Cockerille Blair, of West Virginia.  
Rex George Bolend, of Oklahoma.  
Claude Wiggins Cummings, of Louisiana.  
Clinton Willoughby D'Alenberte, of Florida.  
James Francis Donnelly, of New York.  
Andrew Clinton Hansen, of Illinois.  
William Pryor Harrison, of Texas.  
Frank Tomlinson Hogeland, of Pennsylvania.  
William Williamson Jarrell, of Georgia.  
Joseph McConnell, of Arizona.  
Weston Wallace Nipper, of Texas.  
Wilbur Moorhead Phelps, of Virginia.  
Henry Forrest Quackenbos, of New York.  
Summerfield Moon Taylor, of Texas.

#### CONFIRMATIONS.

##### *Executive nominations confirmed by the Senate July 8, 1914.*

#### PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Commander Carlo B. Brittain to be a captain.  
Commander Lloyd H. Chandler to be a captain.  
Lieut. Commander Walter R. Gherardi to be a commander.  
Lieut. George F. Neal to be a lieutenant commander.  
Lieut. (Junior Grade) John W. Lewis to be a lieutenant.

The following-named paymasters with rank of lieutenant to be paymasters in the Navy with rank of lieutenant commander:

James A. Bull,  
Frank T. Watrous,  
Edwards S. Stalnaker,  
Chester G. Mayo,  
James F. Kutz,  
Alvin Hovey-King,  
John R. Hornberger,  
Noel W. Grant,  
David G. McRitchie,  
Phillip J. Willett,  
Ben D. McGee,  
Neal B. Farwell,  
Reginald Spear,  
Elijah H. Cope,  
Brainerd M. Dobson,  
William W. Lamar,  
William L. F. Simonpietri,  
Fred W. Holt,  
Walter D. Sharp, and  
Raymond B. Westlake.

The following-named naval constructors with rank of lieutenant to be naval constructors in the Navy with rank of lieutenant commander:

John W. Woodruff, and  
Clayton M. Simmers.

The following-named civil engineers with rank of lieutenant to be civil engineers in the Navy with rank of lieutenant commander:

De Witt C. Webb,  
Walter H. Allen,  
James V. Rockwell,  
Carl A. Carlson,  
Frederick H. Cooke, and  
Clinton D. Thurber.

Lieut. Frank McCommon to be a lieutenant commander.

The following-named ensigns to be lieutenants (junior grade):

Penn L. Carroll,  
Comfort B. Platt,  
Frank A. Braisted,  
Edgar A. Logan,  
Zachary Lansdowne,  
David H. Stuart,  
Lucius C. Dunn, and  
Rush S. Fay.

Assistant Naval Constructor James Reed, jr., to be a naval constructor.

First Lieut. William T. Hoadley to be a captain in the Marine Corps.

Second Lieut. Samuel P. Budd to be a first lieutenant in the Marine Corps.

The following-named ensigns to be lieutenants (junior grade):

Frank T. Leighton,  
Alva D. Bernhard,  
Arthur S. Dysart,  
Tracy L. McCauley,  
John H. S. Deesez, and  
Augustine W. Rieger.

James G. Field to be a medical director in the Navy from the 22d day of January, 1913.

George Pickrell to be a medical director in the Navy from the 22d day of January, 1913.

Albert M. D. McCormick to be a medical director in the Navy from the 29th day of September, 1913.

George B. Wilson to be a medical director in the Navy from the 20th day of October, 1913.

Charles F. Stokes to be a medical director in the Navy from the 14th day of November, 1913.

Walter C. Miller to be an assistant dental surgeon in the Dental Reserve Corps.

Edwin N. Cochran to be an assistant dental surgeon in the Dental Reserve Corps.

Gordon H. Claude to be an assistant dental surgeon in the Dental Reserve Corps.

#### POSTMASTERS.

##### ALABAMA.

Daniel W. Houston, Bessemer.  
L. C. Kelley, Carbon Hill.

##### CALIFORNIA.

Charles H. Guy, Concord.  
W. P. Thorne, San Luis Obispo.

##### DELAWARE.

Effie M. Truitt, Rehoboth Beach.

##### ILLINOIS.

Daniel C. Eylar, Pontiac.

##### INDIANA.

Francis M. Fultz, Akron.

##### LOUISIANA.

Andy W. Bryan, Merryville.  
Joseph Voegtle, New Orleans.

##### MINNESOTA.

Daniel J. Harrington, Chisholm.  
Charles Reinholdson, Sandstone.

##### MISSOURI.

John W. Davis, Platte City.  
Earl J. Wright, Tarkio.

##### NEW JERSEY.

M. Warner Hargrove, Brown Mills.

##### NORTH CAROLINA.

J. T. Bynum, Hope Mills.  
W. W. Jones, Franklin.  
Benjamin A. Summerlin, Mount Olive.

##### NORTH DAKOTA.

Patrick H. Long, Page.

##### VERMONT.

Moses E. Leary, Richmond.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, July 8, 1914.

The House met at 12 o'clock noon.

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

O Thou, God and Father of us all, in whom we live and move and have our being, we rejoice that Thy will is supreme and our destiny is bound up in it.

"Our wills are ours, we know not how;  
Our wills are ours, to make them Thine."

Teach us Thy ways and help us to bend our wills to Thine. Be with us, we beseech Thee, and bring us safely through this day and all subsequent days in harmony with Thee. In His name. Amen.

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

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WALKER, for 10 days, on account of death in family.  
To Mr. MCKELLAR, for 10 days, on account of illness in his family.

#### WALDO M. POTTER.

Mr. POU. Mr. Speaker, in the title to the bill (H. R. 9622) for the relief of the heirs of Waldo M. Potter, passed last night, the title as printed on the back does not conform to the title in the body of the bill. I ask unanimous consent that the word "providing," in the title on the back of the bill, be stricken out so as to make it conform to the title in the body.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that in the bill H. R. 9622, passed last night, the word "providing," in the title on the back, be stricken out. Is there objection?

There was no objection.

#### INTERNATIONAL CONGRESS ON HOME EDUCATION.

Mr. LOGUE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from the consideration of Senate joint resolution 157, requesting the President of the United States to invite foreign Governments to participate in the International Congress on Home Education, and that the same be considered in the House.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of Senate joint resolution 157, and that the same be considered in the House, there being a similar resolution reported and on the calendar. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 157) requesting the President of the United States to invite foreign Governments to participate in the International Congress on Education.

*Resolved, etc.*, That the President of the United States is hereby authorized and requested to invite foreign Governments to appoint delegates and otherwise participate in the Fourth International Congress on Home Education, to be held at Philadelphia, Pa., September 22 to 29, 1914, under the auspices of the International Commission on Congresses on Home Education and Parent-Teacher Unions: *Provided*, That no appropriation shall be granted at any time hereafter in connection with said congress.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GARNER. Reserving the right to object, Mr. Speaker, I would like to ask whether or not the Committee on Foreign Affairs has considered this joint resolution.

Mr. LOGUE. The Committee on Foreign Affairs has considered a House joint resolution of similar tenor that I introduced, and has reported it favorably.

Mr. GARNER. It is the same resolution that came up the other day on the Unanimous Consent Calendar and was objected to?

Mr. LOGUE. Yes; it was objected to by the gentleman from Illinois until he learned what provisions had been made for the entertainment of delegates. I was not then present.

Mr. GARNER. The gentleman from Pennsylvania has assured the gentleman from Illinois that the city of Philadelphia was able and had sufficient funds to take charge of the entertainment?

Mr. LOGUE. I have assured the gentleman that the appropriation that has already been made is sufficient to take care of that matter.

Mr. ALLEN. Mr. Speaker, if the gentleman will permit, I can assure the House, from a recent personal experience, that Philadelphia knows how to, and does most delightfully, entertain her guests.

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

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

The similar House resolution was laid on the table.

Mr. LOGUE. Mr. Speaker, I ask unanimous consent to have inserted in the Record an address delivered in Philadelphia on last Saturday by the gentleman from Ohio [Mr. FESS].

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to print in the Record an address delivered by Dr. FESS in Philadelphia on last Saturday. Is there objection?

Mr. RAKER. Reserving the right to object, Mr. Speaker, I ask unanimous consent that the gentleman's speech be inserted in the Record, and that I be permitted to extend my remarks on House bill 11745.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the Record on House bill 11745.

Mr. PAYNE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. PAYNE. Is the question of unanimous consent divisible? If so, I ask that the first request be put first.

The SPEAKER. The situation is this: The gentleman from California objects unless he gets in, too. Is there objection?

Mr. MANN. Mr. Speaker. "Millions for defense, but not one cent for tribute," and I object.

#### ENROLLED JOINT RESOLUTION AND BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title:

H. J. Res. 279. Joint resolution to amend an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved May 2, 1914.

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

S. 4441. An act to extend the provisions of the act of June 23, 1910 (36 Stat. L. 592), authorizing assignment of reclamation homestead entries, and of the act of August 9, 1912 (37 Stat. L. 265), authorizing the issuance of patents on reclamation homestead entries to lands in the Flathead irrigation project, Montana.

#### PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

The SPEAKER. This being Calendar Wednesday, the House automatically resolves itself into Committee of the Whole House on the state of the Union for the further consideration

of the bill H. R. 8428, with the gentleman from Tennessee [Mr. HOUSTON] in the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HOUSTON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 8428) to codify, revise, and amend the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Representative and Senator in the Congress of the United States, limiting the amount of campaign expenses, and for other purposes.

The CHAIRMAN. The matter pending before the committee is the amendment offered by the gentleman from Tennessee [Mr. GARRETT].

Mr. RAKER. Mr. Chairman, I offer the following as a substitute for the amendment offered by the gentleman from Tennessee [Mr. GARRETT].

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

And mail a copy thereof to the secretary of state of the State in which said election is to be or has been held.

Mr. RAKER. Mr. Chairman, just one word. The amendment of the gentleman from Tennessee is to strike out of line 23, page 8, the following words:

And deliver a duplicate of such statement to each of his opponents for such nomination or election if such opponents and their addresses are known.

As stated yesterday, this might require even hundreds of duplicates to be sent. The purpose of the amendment is to continue the publicity, but to direct a copy to be sent to the secretary of state of each State in which the election is to be or has been held, where each candidate can readily obtain it without any trouble, whereas the other is so burdensome that it would be almost impossible to comply with it.

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

Mr. RAKER. Yes.

Mr. MANN. Suppose the secretary of state should refuse to receive this copy, then what would happen? This is a penal offense, so far as the candidate is concerned, if he does not do such a thing. We have no authority to require the secretary of state to receive the copy. Suppose he does not receive it?

Mr. RAKER. I am not so sure; I have not gone into the legal features of it; but I am not so sure but that the secretary of state would, under the law, be required to receive this paper.

Mr. MANN. That official may agree to receive it, but I do not see where we have any authority in Congress to require a State official to do or not to do anything of the sort. We might prohibit them from doing things, but we can not require them to do it.

Mr. RAKER. But there are many instances where Congress passes a law and the various State officials do and must comply with, because Congress has the power to pass the law. As an instance, in a criminal proceeding we direct that a justice of the peace may hold preliminary examination of a man who is arrested and charged with an offense made punishable by Federal statute.

Mr. MANN. May, but we can not require him to do it.

Mr. RAKER. It is done and done repeatedly. Men are bound over from the justice of the peace, and frequently a justice of the peace holds a preliminary examination, and if sufficient evidence appears, he certifies it and sends it up to the Federal district attorney or grand jury.

Mr. MANN. I do not know of any law that a justice of the peace shall hold a preliminary examination for a Federal offense. There may be such authority. We may confer authority on an officer of the State, but how can we require an officer of the State to do something when we do not even offer to pay him for it?

Mr. RAKER. The gentleman from Illinois knows that the act of Congress confers upon a justice of the peace or a committing magistrate the power to hold a preliminary examination for offenses against the Federal statute.

Mr. MANN. If there be such a case—and I do not say there is not—I do not know it. We confer authority on commissioners to hold preliminary examination, because they are Government officials.

Mr. RAKER. I want to say it is the practice, and as district attorney I have participated and had men bound over to the Federal grand jury, and I have not the slightest doubt that if a magistrate refuses the superior court would compel him to hold the examination. This is a provision where the Congress has the power to make the regulations.

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

Mr. RAKER. Yes; I yield.

Mr. GARRETT of Texas. I do not understand that the gentleman's amendment proposes to confer any additional powers on the various secretaries of state, but that his amendment relates to the conduct of the candidate for Congress, requiring that he shall file his report at some other place in his State.

Mr. RAKER. Yes; and while I am in favor of the statement being made public, and I think it ought to be, yet I believe the burden is so great under the provisions of the bill, where it may run from 1 to 500, that if the candidate files the statement with the secretary of state, as the law provides, he will be doing everything that ought to be done. We ought not to put too much of the burden upon him, but still have publicity of his expenditures.

Mr. GARRETT of Tennessee. Mr. Chairman, of course the Congress ought not to do a useless thing.

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

Mr. GARRETT of Tennessee. For a question; certainly.

Mr. TOWNER. I think that the committee would like to hear the gentleman's amendment read. There are many here who were not here on Wednesday last.

Mr. GARRETT of Tennessee. Does the gentleman mean my amendment?

Mr. TOWNER. Yes. I request that it be read.

The CHAIRMAN. Without objection, the Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Page 8, line 23, after the word "part," strike out the language down to and including the word "known" in line 25, as follows: "and deliver a duplicate of such statement to each of his opponents for such nomination or election if such opponents and their addresses are known."

Mr. GARRETT of Tennessee. Mr. Chairman, I did not rise to discuss my amendment. I rose to discuss the amendment offered by the gentleman from California [Mr. RAKER] as a substitute for my amendment. As I was saying, the Congress ought not to do a useless thing. In my judgment, the adoption of the amendment proposed by the gentleman from California would be a very useless thing. If it is not an impotent thing, Mr. Chairman, then it is a mixing of governmental powers. I do not know whether every State in the Union has an official designated as the secretary of state. I presume each State has, but I have no doubt that the duties of those officials in the various States differ very widely. The duties of the secretary of state in my State may be entirely different from the duties of that official in the State of California; but whatever his duties may be, he is a State official. This is a Federal act. The Federal Government can not add anything to the duties of the State officials. It ought not to be able to add anything to the duties of the State officials; and unless the secretary of state be compelled to receive this, then it is useless to have it filed with that official. This Congress can not compel him to receive it. The amendment makes no provision for paying him any fees for receiving it. It makes no provision for adding to the compensation of the secretary of state of the various States. It does not even make a provision for the furnishing to him of a docket upon which to keep the record of the statements he receives.

If the amendment has potency, it is dangerous, because it brings about a mixing of the powers of the States and of the Federal Government. If it is useless, it ought not to be adopted.

Mr. GREEN of Iowa. Mr. Chairman, the gentleman from Tennessee is probably correct when he says that Congress can not add to the duties of a State official, but Congress can add to the powers of a State official, and often has done so. It confers powers on the clerks of court for the purposes of naturalization. It confers authority on justices of the peace for the purpose of preliminary examination. So far as I know, none of these officials has ever refused to act in the capacity so conferred upon him, and I doubt whether he ever will. It is hardly necessary to discuss for the purposes of the amendment of the gentleman from California whether or not the secretary of state could be compelled to receive this document. I am inclined to think that he could not be so compelled. But whether or not that be a fact, I think there is no question but that he would receive the document and would place it upon file. As I understood the amendment of the gentleman from California [Mr. RAKER], it does not say that the candidate may not file the document, but must mail it to the secretary of state. Am I correct?

Mr. RAKER. Yes. He must simply mail it to the secretary of state. I have no doubt the secretary of state in each instance would place it upon file.

Mr. GARRETT of Tennessee. Will the gentleman permit a question?

Mr. GREEN of Iowa. With pleasure.

Mr. GARRETT of Tennessee. Let us suppose that in this loose way the statement should be sent to the secretary of state. This provides not only in cases of nomination but in cases of election. The secretary of state has no responsibility in connection with it at all; that is, no official responsibility. It merely goes into his office in a loose way, just like it might be sent to me or to the gentleman from Iowa. There is no requirement that he shall make it public. He might make public that which he chose to make public; he might throw away that which he did not want to preserve. I am sure the gentleman from Iowa [Mr. GREEN] sees the danger that might lurk in a proposition of this sort.

Mr. GREEN of Iowa. There is a duplicate that will be on file here with the Clerk of this House.

Mr. GARRETT of Tennessee. Then there is no necessity for it.

Mr. GREEN of Iowa. Nobody would take chances in changing it, I think, so far as that is concerned.

Mr. GARRETT of Tennessee. But there is no penalty attached to any action of the secretary of state in that regard.

Mr. GREEN of Iowa. I do not think there is any penalty attached to the acts of the Clerk of this House.

Mr. GARRETT of Tennessee. That is one of his duties as Clerk of the House, of course. If he failed in the discharge of that, he would fail in the discharge of his official duty, because that is a part of his official duty. But it is not the part of the official duty, and would not be made so by the amendment of the gentleman from California, of any secretary of state to pay attention to any statement of the expenditures sought to be reached by the amendment. I can see that in times of great partisan struggle and bitterness, such as very frequently have swept this country and which occur in every State almost every time there is an election, it would be a dangerous thing to put such matters in the hands of a person charged with no responsibility and having no legal liability in connection with their use and treatment.

Mr. GREEN of Iowa. I can see no possible danger arising as is supposed by the gentleman from Tennessee. As I have stated before, there will be a copy on file in another place, and nobody will venture to change or alter or mutilate the document to which reference has been made. On the contrary, I am sure the secretary of state would place it on file and offer to anyone access to it or an opportunity to copy it. Now, when these statements are so filed with the secretary of state, in my own State at least, the reporters naturally look to see what is contained in them. They are published and made public in a way that they would not be if they were merely on file here in Washington. The great object to be obtained by this bill is a knowledge by the general public of what the expenses of a candidate are, and I think this knowledge can reach the public much better by the amendment proposed by the gentleman from California [Mr. RAKER], which, while it does confer some additional powers upon the various secretaries of state, does not undertake to prescribe any of their duties.

Mr. RUCKER. Mr. Chairman, I have repeatedly said that I would, as one member of the committee reporting this bill, gladly accept suggestions of any gentleman which would improve the bill. I still adhere to that statement. I believe the language as written in the bill when reported carries the best thought, the best means of giving actual publicity, that has been suggested. I am opposed to the substitute offered by the gentleman from California [Mr. RAKER] to the amendment offered by the gentleman from Tennessee [Mr. GARRETT]. I am not in favor of writing into this law any provision which can not be enforced. I believe the measure would merit, to some extent, the criticism which has been recently made against it by an unauthorized man, as I believe, if we should put this language into the bill. Obviously, we have no power to compel secretaries of state to receive and file these papers. And while it may be true, and possibly is true, that a secretary of state here and there, or possibly in most States, would receive them, others might not receive them, and hence we would have a law in force in one State which was not in force in another State. We would be absolutely helpless to enforce compliance with the provision we write into it, and for that reason, and for other reasons so well stated by the gentleman from Tennessee [Mr. GARRETT], I am opposed to the substitute.

And now while I am on the floor, Mr. Chairman, I want to say a word or two—

Mr. RAKER. Will the gentleman yield right there for a question?

Mr. RUCKER. I will.

Mr. RAKER. If the purpose is accomplished, namely, that the candidate send a copy or a duplicate of his statement to the secretary of state, can it be conceivable that any secretary of state in this Union that is in favor of publicity of campaign expenses and purity of elections would throw into the wastebasket and prohibit the newspapers and the opponents of a candidate from receiving a copy of that statement in order that the public might know the true situation of what has been done in the primary election, both before and after?

Mr. RUCKER. Now, the gentleman can answer that quite as well as I can. It is a mere matter of speculation either way. I have answered it according to my conviction. I have suggested to the gentleman from California and to this House, or, at least, the committee has, a better means of giving publicity where the people are most concerned to have publicity than the thought suggested in the substitute offered by him.

I want to say one word in reference to the motion of the gentleman from Tennessee [Mr. GARRETT] to strike out certain language in the bill. I repeat that I believe the bill as written is better with that language in it than it will be if it is taken out. But I also believe I know when I am whipped, and, strange to say, I believe the majority of the Members here do not like the language in the bill. Some criticize it because they say it gives the opponent an unfair advantage, which I think is not well taken, because the opponent must comply with the same law. Others say it humiliates a candidate for Congress or for the United States Senate to require the exchange of statements of expenditures in a campaign between candidates, and would be irksome and offensive to them. That I do not conceive to be good reasoning; but after all I believe, from expressions we had here last Wednesday, that a majority of this House is opposed to the language which your committee reported, and in favor of the amendment offered by the gentleman from Tennessee [Mr. GARRETT].

I want now to say again that I believe the thought expressed in the bill as reported is a correct one. I believe the time will come when this House will write that or similar language into this or a similar bill. But to-day you are not prepared to do it. I do not intend to contend against the judgment of my neighbors and friends here, who are as zealous, no doubt, as I am, and therefore I shall offer no further objection to the amendment offered by the gentleman from Tennessee [Mr. GARRETT].

Mr. SAMUEL W. SMITH and Mr. PROUTY rose.

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

Mr. SAMUEL W. SMITH. Mr. Chairman, I ask that the gentleman from Missouri be given 10 minutes more.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the gentleman from Missouri proceed for five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Missouri is recognized for five minutes.

Mr. SAMUEL W. SMITH. I desire to call the gentleman's attention to a letter which doubtless he and every other Member of the House received this morning from the National Popular Government League, in which it is said there are four jokers in this bill. If the gentleman has a few moments to spare, I wish he would call attention to those four.

Mr. RUCKER. I thank the gentleman for calling my attention to this matter.

Mr. SAMUEL W. SMITH. I would be glad if the gentleman would read them and answer them in his own way, if it is not too much trouble.

Mr. RUCKER. I will do so.

Mr. SAMUEL W. SMITH. Thank you.

Mr. RUCKER. The query propounded by the gentleman at least offers a justification for my noticing an article which at this time I had thought it wise not to notice. The circular referred to did not reach me through the mails, but after coming upon the floor of the House a Member of the House, the gentleman from Wyoming [Mr. MONDELL] kindly gave me a copy which he had. For the first time I saw the circular on the letter head of "The National Popular Government League" after I entered this Chamber. I notice as officers, executive committees, committees on legislative reform, advisory council, finance committee, and so forth, the names of a great many distinguished citizens of the United States, many of them Senators of the United States and several Members of the House, and other gentleman prominent for the part they have played in American politics and in national affairs. I happen to know that very many of these gentlemen were consulted, indeed that they helped to frame the law as it now stands on the statute

book, of which this is an amendment and codification, and I believe that those gentlemen are still heartily in favor of the pending legislation.

The executive secretary, one Mr. Judson King, I believe, sent this circular out broadcast without, as I believe, discussing it with the distinguished gentlemen who constitute that National Popular Government League. I believe that elsewhere than in this House this very document will be referred to, possibly to-day. In deference to the distinguished gentlemen whose names are mentioned here, I feel that I ought at least to suspend until they have had an opportunity to exonerate themselves from connection with this infamous paper.

One gentleman, who is a member of this league, told me to-day that he would resign from the league. He is a Member of the House. He said he would resign from membership in the league because of the unauthorized use of his name by the secretary. The secretary has betrayed his ignorance as well as his venom in this communication.

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

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Wyoming?

Mr. RUCKER. I yield to the gentleman.

Mr. MONDELL. I received one of the circulars that the gentleman refers to, and I was very much surprised at the contents. I notice that the president of this National Popular Government League is a Member of the Senate of the United States. I can not believe that any Senator expected to have that sort of a statement sent out in regard to the legislation pending before the House of Representatives. The gentleman from Missouri, I suppose, has no information on the subject?

Mr. RUCKER. I have no information whatever, but I have just remarked that I believe gentlemen will elsewhere than in this Chamber answer this circular to-day. I shall have something further to say about it, but I believe for the present I shall wait until I can see what is said in another body.

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

Mr. RUCKER. Yes.

Mr. STEPHENS of Texas. Is it not a fact that the Senator named there is now in Europe, and not in this country at all?

Mr. RUCKER. I understand so. I believe that Senators and Members are heartily in favor of this legislation. I know that they have voted for the legislation as it passed, and have advocated it everywhere. With the indulgence of the House, I shall perhaps take occasion to say something with reference to this matter in the near future.

Mr. SAMUEL W. SMITH. To interrupt the gentleman a moment, do I understand that the gentleman will make some answer to these four statements that are called jokers before the bill passes the House?

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

Mr. SAMUEL W. SMITH. Mr. Chairman, I ask unanimous consent that the gentleman be given two minutes more. I just want to get this information.

The CHAIRMAN. The gentleman from Michigan [Mr. SAMUEL W. SMITH] asks unanimous consent that the gentleman from Missouri [Mr. RUCKER] be given two minutes more. Is there objection?

There was no objection.

Mr. RUCKER. I did not want to discuss it now, but it first criticizes that phrase "in two or more States." It is well known why that phrase is used, and some of the very gentlemen whose names appear on this circular. I am sure, favor that language in this bill. The second proposition is that primary elections are exempt. This warrants me in repeating that the gentleman who wrote the circular betrays his ignorance and stupidity, because the fact that the bill does involve primary elections has been the fruitful source of most of the controversy that has arisen on the floor of the House. Third, it says a candidate is limited in the amount he can expend, but "interests" may back up his campaign by expending a large amount of money. I have not read it all. That is not true. Every candidate is required under oath to state every contribution made to him and from whom it is received.

Mr. FESS. Mr. Chairman, will the gentleman yield there?

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

Mr. RUCKER. Yes.

Mr. FESS. I would like to have the opinion of the author of the bill as to how much influence a Member of Congress ought to allow a propaganda that circularizes Members of Congress to have upon his vote. I know the gentleman who wrote the letter very well, and he is a nice fellow; but that does not mean anything to me.

Mr. RUCKER. I am glad the gentleman from Ohio says that he is a nice fellow, because I have had my serious doubts about it.

Mr. PROUTY. Mr. Chairman, I desire to say a word on the amendment offered by the gentleman from California, now pending. I have been amused at the discussion that has arisen on this amendment as to the grave constitutional questions involved in the power of Congress to prescribe duties and fix responsibilities for State officers. If the gentlemen that have raised that question had taken the pains to read the amendment, they would have seen how far they are from the question involved. The amendment provides, "and mail a copy thereof to the secretary of state in which said election is to be or has been held."

This is a duty that is fixed upon the man that is a candidate. Is there any Member of Congress who doubts the power of Congress to prescribe what the candidate shall do? Now, the purpose of this amendment and the thing to be reached by it is very wholesome. All of you that have had experience in these matters know that the report filed with the Clerk of the House and the Secretary of the Senate is not available to a man who wants to use it. If a controversy arises in my district as to whether I have made improper expenditures or unreasonable expenditures, before the party can really go and investigate that question he must send to Washington and get a copy of the report here, and he is not really entitled to a copy of it unless he pays for it. It may be a long time before he can get a copy back, and then the circumstances and facts that he wishes to investigate have been covered up. Now, all that this amendment prescribes is that the candidate himself shall put into the hands of a public official, which is the secretary of state, the report, which may then be seen by everybody in the State interested in it.

Mr. RUCKER. Will the gentleman yield?

Mr. PROUTY. Yes.

Mr. RUCKER. Is it not entirely within the power of every State, by legislation, to require the candidate to file a statement with the secretary of state or with the county official or with anyone else?

Mr. PROUTY. Yes; I concede that the States have power to pass laws as stringent and more stringent than the one passed by Congress. But the Congress of the United States is undertaking to legislate on this subject, and why should it shirk a part of the duties and responsibilities by saying that we will leave that for the State to take care of?

Mr. MILLER. Will the gentleman yield?

Mr. PROUTY. I will yield to the gentleman.

Mr. MILLER. Does not the law of the gentleman's State require the candidate to file a statement similar to this?

Mr. PROUTY. It requires the filing of a statement after election but not before.

Mr. MILLER. I thought that the State of Iowa was one of the vanguard States in matters of this kind.

Mr. PROUTY. Oh, I have no time to yield to that kind of an insinuation. That is not what I am discussing. I am discussing the constitutional question involved here that has been raised so seriously by some gentlemen, for what purpose I do not know. There is no constitutional question here involved. It requires a man who is a candidate to send a copy of his report to the secretary of state of the State in which the election is held.

Mr. TAGGART. Will the gentleman yield?

Mr. PROUTY. Yes.

Mr. TAGGART. Suppose a contumacious or partisan secretary of state should lock up the reports in his safe and not give them out.

Mr. PROUTY. Suppose he did, you would be no worse off than if you did not have the law provided in this amendment. You are not doing any harm if you send it to him.

Mr. RUCKER. Might you not do harm in this way: That the States would be slow to pass a law to compel the very thing which I think they ought and will do if we enact this law.

Mr. PROUTY. I can not conceive of the idea that a State legislature would be slow in passing a law simply because Congress had undertaken to pass some act on the same subject.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. PROUTY. Yes.

Mr. GARRETT of Tennessee. The gentleman from Kansas put a supposititious question, and I will follow. Suppose the secretary of state should lock up some of the reports and give others out?

Mr. PROUTY. That has nothing to do with this amendment at all.

Mr. GARRETT of Tennessee. Could not the gentleman see where an officer having no responsibility by law might do that thing?

Mr. PROUTY. Suppose he locked up all of them. It would be no worse than if you had never sent them at all.

Mr. DONOVAN. Mr. Chairman, I would like to ask who has the floor?

The CHAIRMAN (Mr. Flood of Virginia). The gentleman from Iowa has the floor, and he has yielded to the gentleman from Tennessee for a question.

Mr. DONOVAN. The gentleman from Iowa has the floor and the gentleman from Tennessee has no parliamentary right to ask a question, because he did not address the Chair. They all do that way, and it is not parliamentary procedure. The gentleman from Iowa is treating the subject intelligently, and we want to hear him, and this is a violation of the rule.

The CHAIRMAN. The gentleman from Connecticut is out of order.

Mr. PROUTY. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has two minutes.

Mr. PROUTY. All that I rose to say in substance was that the gentlemen who raised the constitutional question certainly have not read the amendment, and if they say that they have read it and insist on it as a great constitutional question, they are interposing that objection not because they feel that it is unconstitutional but because they have some other reason for opposing it. Now, I confess that I can see no possible harm that can result from requiring the candidate to put into some public repository within his own State his campaign expenses and the things that he has done instead of sending them to Washington, where they are not accessible to men who want to ascertain the facts about them.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. PROUTY. Yes.

Mr. GREEN of Iowa. Would not the refusal of the secretary of state, if he did refuse, simply insure the document being made public by its being sent down here to Washington?

Mr. PROUTY. I am not attempting to discuss that question. We can not know what everybody would do in every State. My guess on that would be of no assistance, but I do know that Congress has the power to require a candidate for the House of Representatives and a candidate for the Senate of the United States to mail a copy of his report to the secretary of state, and I believe it would be a wholesome thing.

Mr. COX rose.

Mr. RUCKER. Mr. Chairman, before the gentleman from Indiana begins I would like to see if I can not come to some agreement on the time for debate on this amendment.

Mr. MILLER. Mr. Chairman, I would like to have five minutes.

Mr. RUCKER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and the substitute for the amendment close in 25 minutes.

Mr. MANN. I do not think that would be enough.

Mr. CRAMTON. Mr. Chairman, pending that, I desire to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CRAMTON. Mr. Chairman, I would like to ask if an amendment is in order to the Raker amendment?

The CHAIRMAN. There is an amendment pending and a substitute to that.

Mr. CRAMTON. Then I desire to offer an amendment to the substitute.

Mr. MANN. An amendment to the substitute is in order, Mr. Chairman, under the rules. The rules specifically state that there may be one amendment to a substitute.

The CHAIRMAN. That is correct.

Mr. RUCKER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and the substitute thereto and the amendment to the substitute close in 30 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all debate on the amendment and the substitute and any amendment to the substitute close in 30 minutes. Is there objection?

There was no objection.

Mr. COX. Mr. Chairman, I am in favor of the amendment offered by the gentleman from California [Mr. RAKER]. If it fails, I am opposed to the amendment offered by the gentleman from Tennessee [Mr. GARRETT]. I am in favor of publicity. I would have enjoyed seeing this great committee bring a bill to this House that had teeth in it, that had some real genuine vitality in it. I would like to have seen it contain a section or a provision which would have prevented a Member from being

sworn in as a Member of this House or as a Member of the other body who has failed to comply with the provisions of this law; and in my judgment we will never get publicity, we will never get candidates for the House of Representatives and candidates for the Senate to live up to the law, until a provision of that kind is written into a bill. When a candidate for the House of Representatives knows that there is hanging over his head a doubt, even if he is elected, as to whether or not he is finally going to be sworn in and receive his seat, he will then adhere and adhere religiously to the law. But I believe that the proposed bill is a vast improvement over the old publicity law. I am not criticizing the old law. I recognize that when this principle started it was new and untried, dealing with a dual system of Government, the Federal Government on the one hand and the various State governments on the other. For one I am in favor of publicity. What possible harm can come to us because of giving to our opponents an itemized statement of our expenses? I have listened and listened intently to every argument that has been advanced, and no man has yet advanced to my mind a logical argument against it. I believed in the first instance that it would have been better if the committee had required the candidate at home to have published these expenses in a local paper, but on reflection I doubt that. In my judgment what the people want is publicity and when we are required to give to our opponents an itemized sworn statement of our expenses 15 days before the election, I take it that our opponents will discuss those expenses from every stump on which they speak. Articles appearing in newspapers are read with not very much interest and are rather quickly forgotten, but when the candidate for the House or the Senate of the United States is being challenged before his constituents every day and every night and their attention is called to the fact that this or that candidate has exceeded the law or failed to comply with its provisions you will then get publicity, and you will never get it until you get it in that way.

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

Mr. COX. For a question.

Mr. TAGGART. Would it not be better if it was made the duty of the clerk of the United States court to receive these statements?

Mr. RUCKER. Which court?

Mr. TAGGART. The clerk of the court of the district in which the candidate is running, and then have him file the statement?

Mr. COX. I do not. After giving this subject as much thought as I can, I am firmly in favor of the doctrine of publicity. And you will never get it in any other way, that has been yet proposed, equal to the provision contained in this bill. We have been trying for, lo, these many years to throw the limelight on these matters, and have we been sincere and conscientious about it? For one, I am not a brave man at all, but I am not at all afraid to give to my opponent 15 days before the election an itemized sworn account of every penny I have put into the campaign. I am perfectly willing that he should go on the stump day and night and challenge me upon that proposition; and in return, I will be challenging his expense account.

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

Mr. WATKINS. Mr. Chairman, having been unalterably opposed to the enactment of any national law regulating the primaries which are governed by the State laws, I wish now to make a hasty résumé of the statutes as we find them and of these amendments, and endeavor in a few minutes to explain the effect of these amendments on the general law, on the primary-election law. The bill now being presented is a codification of the various laws relating to publicity of campaign contributions. When this proposition was first submitted to the House of Representatives it did not contemplate the regulation of the primary elections in the various States of the Union, because there is no national primary-election law. The various States in the Union have State laws regulating primary elections. When the proposition was first submitted and before the law was enacted regulating the publicity of campaign contributions, when the amendment was offered to include primaries, the gentleman who now has charge of the bill, the gentleman from Missouri [Mr. RUCKER], opposed it to the extent of defeating it by a majority of the votes of the Democratic Members of the House, coincided in by some of the Republicans, and the primary-election feature was eliminated at that time. It went to the Senate, and the Senate then sought to incorporate primary elections—

Mr. RUCKER. Will the gentleman yield?

Mr. WATKINS. I do.

Mr. RUCKER. The gentleman will recall even at the time that I was seeking to prevent that on the floor of the House I declared myself then heartily in favor of it at all times.

Mr. WATKINS. Well, let us see.

Mr. RUCKER. I had other reasons for opposing the amendment at that particular time.

Mr. WATKINS. I am not criticizing or finding fault with the gentleman.

Mr. RUCKER. I understand that.

Mr. WATKINS. Because the views he expressed at the time exactly coincide with my idea in reference to the matter, and I was quoting the gentleman as authority for the position which I have taken—

Mr. RUCKER. The gentleman correctly quotes what I did; I make no point on that, but I had reasons for it at the time.

The CHAIRMAN. Does the gentleman from Louisiana further yield?

Mr. WATKINS. I simply want to quote the language to show why I made the statement which I did; and if I was in error as his being opposed to it, I want to show his language as the reason why I made the statement, because I believed I was making a correct statement. The gentleman from Missouri said:

We on this side—

Meaning the Democratic side—

will not dodge the issue. We earnestly favor the publicity of campaign contributions, but we are unalterably opposed to force bills and Federal supervision of elections.

And that is the amendment which he was antagonizing at the time. Hon. JOHN SHARP WILLIAMS, the Senator from Mississippi, made a similar statement opposing this measure in the Senate. We fought over the question for almost an entire session of Congress, being opposed all the time by the leading Democratic Members, and the opposition was based upon amendment numbered 10 to the Constitution of the United States:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Now, Mr. Chairman, this bill proposes in the codification of the law on the subject matter to require that the candidates serve notice upon their opponents, with duplicate statements, showing the amount, the items, and dates of contributions and their expenditures. I am opposed to that, because I believe it is interfering, as it applies both to primary and general elections, with the rights of the States, and interfering by giving authority to the United States courts to interpret the State laws regulating primary elections.

The amendment which the gentleman from Tennessee offers has for its object the striking out of that language and I am, for the same reasons stated, in favor of the amendment offered by the gentleman from Tennessee. However, the gentleman from California has moved as a substitute that the notice in lieu of being given to the opponent shall be given through the instrumentality of the secretary's office—through the secretary of state—and for him to make the publication. Now, Mr. Chairman, if that is done it is in compliance with many of the State laws on this same subject matter, the State of Louisiana being one of them, and if we can not get the amendment of the gentleman from Tennessee in striking out this language requiring notice to be served upon the opponents, then I would be in favor of the amendment offered as a substitute by the gentleman from California.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMTON. Mr. Chairman, the amendment which I desire to offer to the Raker substitute is simply to insert, after the word "mail," the words "or registered mail."

Mr. RAKER. Will the gentleman yield?

Mr. CRAMTON. I do.

Mr. PAKER. The next section provides that mail or delivery means registered mail.

Mr. CRAMTON. Then I withdraw the amendment, Mr. Chairman.

Mr. RUCKER. That proposition is fully covered.

The CHAIRMAN. Does the gentleman withdraw the amendment?

Mr. CRAMTON. I withdraw the amendment. To my mind, the question of desirability and the certainty of securing of reforms by means of publicity is a matter upon which we must all agree. The only question in the mind of any of us is whether a so-called publicity statute will actually secure the publicity. If it secures publicity, it is bound to secure the reforms we desire and which are needed. The only question, to my mind, in reference to the Raker substitute was not as to what any secretary of state would do with the statement after he shall have received it, but whether or not the candi-



date would file the statement. If it should be simply sent by mail, there might be a question as to proof whether he sent it or not; but if he sends it by registered mail, as I am now informed the statute later provides, then there is mighty little question but what the secretary of state will secure it, and if the secretary of state receives it I do not believe there is any real question in the mind of any of us as to what the secretary of state will do with it. If the secretary of state receives it, files it, and holds it open to the public, then we are going to secure a greater amount of publicity, we must all agree, than would be the case if it were simply placed on file in some office in Washington, 1,000 miles away from the scene of the contest. Inasmuch as it is securing a greater amount of publicity and is not subject to the criticism which must arise from the provision proposed in the bill which makes each candidate a sort of spy and watchdog over his opponent, but leaves it open to the public, who want this wider publicity, I am in favor of the Raker amendment.

Mr. KEATING. Mr. Chairman, I did not hear all of the remarks of the gentleman from Missouri about the Popular Government League. I understand, however, that he takes exception to the tone of a communication from the secretary of that organization.

Mr. RUCKER. Mr. Chairman, I take no exception. I think the secretary did an unauthorized act. I think the league should repudiate his action.

Mr. KEATING. I am a member of the Popular Government League. I have not had an opportunity to read this communication, and I do not desire to read it until after I have made this statement. I take it for granted that the secretary of the league when he addressed Congress addressed it in a proper fashion. If he has not done so he should be criticized, and I am sure I will not object to any such criticism which may be offered by the gentleman from Missouri or anyone else.

But so long as the secretary proceeds in a proper manner he is carrying out the objects of the league. The league was formed for the purpose of advancing the cause of direct legislation, the initiative and referendum, publicity in the matter of campaign contributions, and kindred objects. We held a convention here something like a year ago, and Mr. King was elected executive secretary. Now, it stands to reason that it is impossible for an executive secretary to consult with every member of the league. We are compelled from the very nature of things to place a great deal of power in Mr. King's hands, and we placed that power in his hands because we had confidence in him. Mr. King had been interested in this kind of work for a number of years. He had gained some reputation as the result of that work, and we felt that in intrusting him with the duty of watching measures of this kind which might be pending in Congress and before the various State legislatures we were selecting the right kind of a man for a most important job.

Now, his duty was to look for "jokers" in legislation of this kind. That is the reason we placed him where he is, and he was well within his rights as secretary, to my mind, when he undertook to state to this Congress on behalf of the organization that he felt that certain amendments should be offered to this bill.

Mr. GARNER. Will the gentleman yield now?

Mr. KEATING. If you will pardon me just a moment until I finish my statement. If I have time I will yield.

But, as I have said before, those suggestions should be offered in a proper fashion. Of course when Senator OWEN, who I believe is the president of the organization, is in Washington Mr. King, as I understand it, is constantly in touch with him. There are other gentlemen here whose names escape me at the moment who constitute an executive committee. I believe a majority of that committee are residents of the city of Washington. It is to be taken for granted that Mr. King will keep in touch with those gentlemen and ascertain their views.

Mr. RUCKER. Does the gentleman express the belief that he did do it?

Mr. KEATING. I can not do that in the absence of definite information.

Mr. RUCKER. In the absence of any information?

Mr. KEATING. I will not say that I have no information. The only thing I know is that Mr. King told me he was going to offer certain suggestions looking to amendments, and he specifically mentioned the striking out of the words "in two or more States." And I told Mr. King that so far as that amendment was concerned I heartily approved it, and I hoped it would be adopted by this House.

Mr. RUCKER. Does not the gentleman believe that if Mr. King was acting in good faith he might, even if Senator OWEN is across the water, have consulted with Senator NORRIS, of the executive committee? Does he not think he might have been courteous enough to have suggested it to some member of the committee that has this bill in charge? Does he not think it better to have told the truth than to have lied about it?

Mr. KEATING. I am not taking it for granted that Mr. King lied about it.

Mr. RUCKER. I am taking it for granted that he did.

Mr. KEATING. That is a question between the gentleman and Mr. King.

Mr. RUCKER. I have not the honor of the gentleman's acquaintance, but I would be glad to have him call on me.

Mr. KEATING. This thing of calling a man a liar on the floor of this House and then suggesting that he call on you does not impress me.

Mr. RUCKER. I do not care whether the gentleman is impressed or not. No man can impugn my motives.

Mr. KEATING. I did not impugn your motives.

Mr. RUCKER. But you are indorsing Mr. King.

Mr. KEATING. I do not indorse Mr. King. I am not "indorsing" or "defending" anyone. The RECORD will show whom I indorse. I have tried to make a clear statement.

Mr. RUCKER. I hope I have not said anything offensive to the gentleman.

Mr. KEATING. You have not. I trust I have not said anything offensive to the gentleman from Missouri, for nothing was further from my thoughts. I want this House simply to understand that Mr. King had well-defined duties in connection with this bill. It was his duty as executive secretary of the Popular Government League to scrutinize this bill, and if he felt amendments should be offered he was authorized to present such amendments as to him seemed proper to Congress.

Mr. GARNER. Will the gentleman yield for an interruption now?

Mr. KEATING. My time has expired.

Mr. MILLER. Mr. Chairman, I am very strongly opposed to the substitute as offered by the gentleman from California [Mr. RAKER]. The object of this bill is to secure publicity where publicity will be of value to insure purity in elections. It certainly is not to entangle elections and candidacies with a lot of unnecessary and valueless requirements. If it be required of the candidate that he file or mail a copy of his campaign expenditures to the secretary of state, that requirement will result in one of two things. In a State where there is a State law requiring such statements to be filed with the secretary of state—and I assume that a majority of the States now have such a law, and that all will soon have such a law—it will result simply in repetition and confusion, and absolutely no useful purpose can be served.

Mr. WINGO. Will the gentleman yield?

Mr. MILLER. Certainly.

Mr. WINGO. I wish to call the gentleman's attention to the fact that this kind of a situation has arisen in a State. The attorney general of that State has ruled that Members of Congress and Senators are not subject to the State act; that the Federal Government alone can say when and where they shall file their statements. Upon that ruling I understand one secretary of state declined to file an expense account of a Member of Congress.

Mr. MILLER. I would not care to enter into a legal controversy with the legal adviser cited by the gentleman from Arkansas, but unless there is something unusual and extraordinary in the statute it certainly does apply, and any State can require a candidate for Congress to file with the secretary of state an expense account.

Mr. WINGO. I did not express any opinion concerning the secretary of state's opinion. I simply called attention to the confusion that would arise if his contention is well founded.

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

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

Mr. MILLER. Yes; if it is short.

Mr. RAKER. Is there any doubt in the gentleman's mind that Congress has the power to direct a candidate to deliver a duplicate to his opponent, either before or after the election?

Mr. MILLER. Not at all.

Mr. RAKER. If that is true, can there be any doubt of the right of Congress to compel a Member to mail a copy to the secretary of state?

Mr. MILLER. Without question Congress can compel a candidate to mail a copy to every Tom, Dick, and Harry in the

United States; to the coroner, if you like, and to the sheriff, if you like, and to the justice of the peace, if you like. But Congress can not make the secretary of state receive it or put it on file or keep it or show it to anybody.

Mr. RAKER. Mr. Chairman, will the gentleman yield again?

The CHAIRMAN (Mr. Houston). Does the gentleman yield?

Mr. MILLER. I will not yield further.

The CHAIRMAN. The gentleman declines to yield.

Mr. MILLER. It is not a fact that Congress lacks the power to require the candidate to mail the statement, but that when mailed what good purpose will be served?

The second contention that I desire to call to the attention of the House is this very one that the secretary of state may or may not receive it. Very likely he will not keep it on file for any extended period of time; may not keep it where it will be public; can not be compelled to have a repository in his office for it. No person could compel him to show it to him if he went there to see it.

While we have power, therefore, to compel the candidate to mail the statement, we have no authority, and we should not have any, to compel any useful purpose to be subserved by it after it gets into the office of the secretary of state. So that it seems to me, Mr. Chairman, that this amendment is wholly inadvisable.

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

Mr. BRYAN. Mr. Chairman, we are all after publicity of campaign contributions. That is the aim of this legislation, of course—publicity. Whether or not these lines in this provision which require the giving of a duplicate to your opponents for the nomination will produce the kind of publicity that we want is certainly a material question. I suppose that this refers, of course, to the candidates within one's own party who are against one for the nomination.

Now, I suggest that in a Democratic district, we will say, how much publicity will be produced in a campaign for the nomination for a Democratic position in this House by a candidate giving to his associate Democrats a copy of his expense account? How much publicity will be produced in a Republican district among delegates, for instance, to the last Chicago national convention, giving to each of those opponents a copy of the expense account? After the primary is over the fight is over, and the opponent that does not get up and support his opponent's nomination is at once blackballed out of the party. He is at once an outcast, a traitor, and it is not the place where the publicity or where the expense account ought to be deposited in order to promote publicity.

I would like to see it filed in some place publicly. I do not care whether it is filed with the secretary of state or with the clerk of the Federal court; but this provision, in my opinion, is not effective.

Now, under our laws, for instance, a man becomes your opponent. If some voter scratches the name of a printed candidate off of the ballot and writes the name of John Jones there as a candidate, if he gets only one vote or two votes in the district, every one who gets such a vote in that way is your opponent. Now, on whom have you to serve it? I say it is ineffective, and not the kind of a provision that we want.

So far as the constitutional provisions here are concerned, I do not think there is any more use in going wild here about constitutional provisions as to State laws than there is about going wild over this letter that has been received from the secretary of the National Popular Government League. I have absolute faith in the sincerity of the chairman of this committee, and I do not approve of the word "fake" used in this letter, so far as it may tend to question his sincerity. I believe in the chairman's sincerity. But I want to say on the floor of this House that I have absolute faith in the sincerity and in the honesty and integrity of the gentleman whose name was signed to that letter, Mr. Judson King. He is a personal friend of mine and one whom I honor.

Mr. RUCKER. Does the gentleman think he ever read this bill?

Mr. BRYAN. I think he did.

Mr. RUCKER. If he did, he is either an ignoramus or a fool, because he expressly says primaries are exempted.

Mr. BRYAN. He is right. Primaries are excluded for this reason, that the law says that the party which conducts the one-State primary does not make a report. Take the contest in the Dyer district, for instance, in Missouri, and let a primary campaign of that kind be conducted by a Missouri campaign committee, and they make no report whatever. The committee is especially exempted from a report, and thus this bill does not apply.

Mr. RUCKER. They do make a report under the State law. Mr. BRYAN. I am talking about this law, and so was Mr. King.

Mr. RUCKER. This law never was designed to require any committees in a State to make a report.

Mr. BRYAN. With all due credit to the gentleman for his sincerity, I repeat that is one of the vital criticisms of this bill, that the State committee managing a Congressman's campaign in a State does not have to make any report whatever, and that lets out all these primaries. I am not going to have a national campaign committee manage my campaign. My campaign committee is out in Seattle, and therefore your bill lets primaries out; it only concerns national committees and individual candidates.

Mr. RUCKER. The gentleman would be in favor of having all congressional committees and county and township committees make a report?

Mr. BRYAN. I am in favor of having all congressional and senatorial committees handling the campaign of a candidate for Congress or of a candidate for the Senate report, the same as the Congressman or the Senator himself, whether a one-State committee or a two or more States committee.

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

Mr. MURRAY of Oklahoma. Mr. Chairman, I ask to have my amendment reported and considered as pending.

The CHAIRMAN. The gentleman from Oklahoma [Mr. MURRAY] asks unanimous consent to have his amendment reported and considered as pending. Is it pending?

Mr. MURRAY of Oklahoma. Yes; I think the House will agree to it.

The CHAIRMAN. Is this an amendment offered by the gentleman from Oklahoma?

Mr. MURRAY of Oklahoma. It is one that I have offered.

The CHAIRMAN. If there be no objection, the Clerk will report the amendment.

Mr. MURRAY of Oklahoma. I think the House will agree to it.

Mr. RUCKER. Mr. Chairman, this is an amendment to what? Mr. MURRAY of Oklahoma. Let the Clerk read it. Then the gentleman will see what it is.

Mr. RUCKER. There is already an amendment, a substitute, and an amendment to the substitute pending.

Mr. MURRAY of Oklahoma. I obtained unanimous consent to have the Clerk read it.

The CHAIRMAN. There is no amendment pending to the substitute.

Mr. RUCKER. I thought there was.

The CHAIRMAN. That was withdrawn.

Mr. FOSTER. As I understand it, this is simply read for information.

Mr. MURRAY of Oklahoma. That is all.

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

The Clerk read as follows:

Amendment offered by Mr. MURRAY of Oklahoma:  
"Page 8, line 25, at the end of the line add 'and he shall list and itemize all the falsehoods, prevarications, and lies he has invented, started, uttered, told, or printed against, about, or concerning his opponents, or either of them.'"

[Laughter.]

Mr. RUCKER. Mr. Chairman, I make a point of order against that amendment, because it would require too much of detail, and the gentleman knows that.

Mr. MANN. On this side of the House we have no objection to it. Let the other side of the House vote on it. [Laughter.]

The CHAIRMAN. The point of order is sustained. The question is on the amendment offered by the gentleman from California [Mr. RAKER] in the nature of a substitute.

The question being taken, on a division (demanded by Mr. RAKER) there were—ayes 30, noes 42.

Accordingly the amendment was rejected.

The CHAIRMAN. The question recurs upon the amendment offered by the gentleman from Tennessee [Mr. GARRETT].

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 50, noes 20.

Accordingly the amendment was agreed to.

Mr. RUCKER. Mr. Chairman, in view of the action of the committee in adopting the amendment offered by the gentleman from Tennessee [Mr. GARRETT], I move to amend, on page 9, line 21, by striking out all of line 21 after the word "part" down to the end of line 22.

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

The Clerk read as follows:

Amendment by Mr. RUCKER:  
"Page 9, lines 21 and 22, after the word 'part,' in line 21, strike out the words 'and deliver a duplicate of such statement to each of his opponents for such nomination or election if known.'"

The amendment was agreed to.

Mr. RAKER. Mr. Chairman, I present the following amendment.

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

The Clerk read as follows:

Amendment by Mr. RAKER:  
"Page 12, line 26, after the word 'newspapers,' strike out the words 'and distributing letters, circulars, and posters.'"

Mr. RAKER. Mr. Chairman, I want to say just a few words on this amendment. As the law now stands, any amount of money may be expended for distributing letters, circulars, or posters without any accounting for it. The former part of the bill, in lines 24 and 25, permits the candidate to expend all that may be necessary to make himself known over the district, and to every voter in the district, for stationery and postage, writing and printing; but I believe this provision ought to be eliminated from the bill. Under these words there is no limit to the amount that a man can expend in a campaign. A candidate may have a hundred cards printed. He may employ a hundred men to circulate them, giving a man one card and paying his traveling expenses and a four-in-hand to take that card to some one in the adjoining town, and under this bill that is a legitimate expense and does not have to be accounted for. He may have a thousand posters, and he may employ a hundred men to travel over that district at \$5 a day and found, with an automobile or four-in-hand, to deliver those posters or circulars, and no accounting is necessary. Now, if you are going to have a campaign-publicity bill, if you are going to put men on an equal footing, and say that a man shall not buy his election, why should you put into the bill provisions that legalize those things that have been done in the past in the most vicious manner for the purpose of corrupting the electorate?

Mr. COX. Will the gentleman yield?

Mr. RAKER. I yield to the gentleman from Indiana.

Mr. COX. If your amendment is agreed to, will that prevent a candidate for Congress sending letters through the mail?

Mr. RAKER. Oh, no. The provisions in lines 22 to 24 permit him to send through the mails all the letters, circulars, and printed matter that he desires; but this provision that I move to strike out says that he may distribute letters, circulars, and posters. Now, that distribution may be made in any way. You may put a man on a railroad train and send him all over the district, and pay him five or ten dollars a day, and no limitation on it. As I stated a moment ago, it legalizes a method that has been deplored and frowned upon for years—that of hiring men to go over a district to hand out cards, circulars, and posters to individuals, and, as a matter of fact, practically to buy the vote of the man you employ to deliver these things. Now, I am in favor of a bill with some teeth in it. If you compel a candidate to publish in his statement the number of men employed and the amount of money paid to them for distributing his letters, cards, and posters, that will be all right. Then he has to come within the limit of the bill, \$5,000, or the amount provided by the statute of the State.

Mr. RUCKER. Mr. Chairman, I want to say to the gentleman that I believe the language sought to be stricken out by his amendment might allow a candidate to do what this bill seeks to prevent. Therefore, I have no objection at all to the amendment.

Mr. RAKER. All right. Vote on it.

The CHAIRMAN. The time of the gentleman has expired. The question is upon the adoption of the amendment.

The amendment was agreed to.

Mr. WINGO. Mr. Chairman, on page 13, line 4, I move to strike out all of the paragraph after the word "expense."

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

The Clerk read as follows:

Page 13, line 4, after the word "expense," strike out the words "and need not be shown in the statement herein required to be filed."

Mr. WINGO. Mr. Chairman, if my amendment is adopted, it will strike out the words that have been read. The paragraph of which the words are a part provides that in making up his statement it is not necessary for the candidate to include certain things, and it goes further and says that they may not be shown and entered in his expense account. Now, let us see. If you let the present language of the bill stand it would mean that he could spend several thousand dollars for postage, several

thousand dollars for telegraph and telephone, if he wanted to, several thousand dollars for printing, thousands of dollars for workers, and yet he would not have to make any statement showing that he had made the expenditure of that sum. I take it that the language used is for the purpose of fixing the limitation and not for suppressing anything.

Mr. RUCKER. Will the gentleman yield?

Mr. WINGO. I will.

Mr. RUCKER. I think I catch the thought of the gentleman, and I want to make this suggestion: Would not the idea of the gentleman be better presented if instead of striking this language out you make it read that it must be shown in the statement filed here?

Mr. WINGO. I think that is better.

Mr. RUCKER. I would have no objection to that.

Mr. WINGO. Mr. Chairman, I will ask to modify my amendment by striking out the words "and need not," in line 4, and inserting the words "but shall."

The CHAIRMAN. Without objection, the gentleman from Arkansas modifies his amendment to read as the Clerk will report.

The Clerk read as follows:

Page 13, line 4, strike out the words "and need not" and insert the words "but shall."

Mr. BOOHER and Mr. MANN rose.

Mr. BOOHER. I will yield to the gentleman from Illinois.

The CHAIRMAN. The gentleman from Arkansas has the floor.

Mr. MANN. But the gentleman from Arkansas has had five minutes and is not entitled to the floor.

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

Mr. MANN. Mr. Chairman, I would be perfectly willing, except for the inconvenience, to strike out the entire provision, and would much rather strike it out than to insert the amendment offered by the gentleman from Arkansas. The only purpose of the proviso is to except certain expenses from the limitation fixed—first, the question as to the constitutional authority possibly, which I do not pay much attention to, in reference to the payment of assessments required by the State; and the other is the matter of convenience.

No man living can keep a truthful account of the postage paid for campaign expenses. No man living can keep a truthful account of the stationery that he buys and uses for campaign expenses. No man living can keep a truthful account of his personal expenses during a campaign that are chargeable to campaign expenses. It was necessary either to exempt these things from the amount required or to legally require a man to lie about it. Now, you can take your choice. It is not possible to keep an account of each 2-cent stamp used for campaign purposes. It is not possible to distinguish in the purchase of stationery between each sheet that is used by us, for instance, for official purposes or private purposes and that for campaign purposes. It is not possible to distinguish between the personal expenses of a candidate which are caused by his being a candidate as apart from his ordinary living expenses. That is the reason for making these exemptions in the first place.

Now, having stricken out all the provision in regard to the distribution of letters and circulars and posters which were not required to be accounted for and which were not required to be in the limit, they are now included in the limit of cost and hence are required to be accounted for and they are easy to keep track of. There is nothing left to the proviso except that. We may pass a law requiring every candidate for Congress to lie about his expenses, but he can not comply with the provisions truthfully; it is not within the capacity of the human mind.

Mr. BOOHER. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Arkansas. I can not understand why, if the proviso is to stand in this bill, the amendment should be adopted. We exempt the travel expense, subsistence, stationery, postage, writing or printing, other than in newspapers, the assessment levied upon candidates by the laws of the State in which he resides, telegraph and telephone service, and say that they shall not be regarded as an expenditure within the meaning of this section.

If they are not to be regarded as expenditures, and we are not to be charged with them, then why insert in the law a provision that you must make a statement of them? It seems to me the gentleman from Illinois [Mr. MANN] is right when he says that amendment will simply provide for something with which it is utterly impossible to comply. The section is well enough as it stands, without the amendment of the gentleman

from Arkansas [Mr. Wingo], and I sincerely hope that it will not be adopted.

Mr. RAKER. Mr. Chairman, I am in favor of the amendment of the gentleman from Arkansas [Mr. Wingo], and I ask unanimous consent that I may read sections 29 and 30 of the direct-primary law of the State of California.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield for a question?

Mr. RAKER. Certainly.

Mr. GARRETT of Tennessee. I want to put a concrete proposition to the gentleman. This exempts from the limit, and will provide for a report, if the amendment of the gentleman from Arkansas be adopted, of expenses of a candidate while engaged in his campaign, his ordinary traveling expenses. It will be possible, perhaps, but it will be a great deal of trouble for a man to keep up with his actual railroad fares. Let me ask the gentleman this question. Let us say that the gentleman is off on a campaign away from home for perhaps a month, and he takes his meals at a hotel. Those meals are more costly than they would be if taken at home. How is he going to get in any truthful, accurate way the difference between what his actual food expenses would be and his food expenses while he is out traveling? That is a practical question. How is he going to charge his account?

Mr. RAKER. Mr. Chairman, in answer to that I will state that it has always been customary and it is the law for a public official, a man who is away from his business, to be allowed his traveling expenses or subsistence, and he pays whatever it is. It would be the same thing in this. When a man is away from his home, if he goes 10 or 15 miles and gets his meals, and pays perhaps 50 cents each for them, that is an expense for that campaign, and he does not draw any distinction between what it would be at home and what he has to pay outside.

I want to read now the law of California, sections 29 and 30 of the direct-primary law, approved June 16, 1913:

#### CAMPAIGN EXPENSES.

SEC. 29. No candidate for nomination to any elective office, including that of United States Senator in Congress, shall directly or indirectly pay, expend, or contribute any money or other valuable thing, or promise so to do, except for lawful expenses. Lawful expenses as used in this section are limited to expenses for the following purposes only:

1. For the candidate's official filer fee.
2. For the preparing, printing, circulating, and verifying of nomination papers.
3. For the candidate's personal traveling expenses.
4. For rent and necessary furnishing of halls or rooms, during such candidacy, for public meetings, or for committee headquarters.
5. For payment of speakers and musicians at public meetings and their necessary traveling expenses.
6. For printing and distribution of pamphlets, circulars, newspapers, cards, handbills, posters, and announcements relative to candidates or political issues or principles.
7. For his share of the reasonable compensation of challengers at the polls.
8. For making canvasses of voters.
9. For clerk hire.
10. For conveying infirm or disabled voters to and from the polls.
11. For postage, expressage, telegraphing, and telephoning relative to candidacy.

Can gentlemen conceive of any other expense than those named in that law, if the law be complied with, to provide for publicity? Ought anyone to go any further? Certainly not.

Section 30 provides, as follows:

#### STATEMENT OF EXPENSES.

SEC. 30. Every person who shall be a candidate for nomination to any elective office, including that of United States Senator in Congress, shall make in duplicate, within 15 days after the primary election, a verified statement, setting forth each and every sum of money contributed, disbursed, expended, or promised by him, and, to the best of his knowledge and belief, by any and every other person or association of persons in his behalf wholly or partly in endeavoring to secure his nomination. This statement must show in detail all moneys paid, loaned, contributed, or otherwise furnished to him directly or indirectly in aid of his election, together with the name of the person or persons from whom such moneys were received; and must also show in detail, under each of the subdivisions of section 29 of this act, all moneys contributed, loaned, or expended by him directly or indirectly, by himself or through any other person, in aid of his election, together with the name of the person or persons to whom such moneys were paid or disbursed. Such statement must set forth that the affiant has used all reasonable diligence in its preparation, and that the same is true and is as full and explicit as he is able to make it. Within the time aforesaid the candidate shall file one copy of said statement with the officer with whom his nomination papers were filed, and the other with the recorder of the county or city and county in which he resides, who shall record the same in a book to be kept for that purpose, and to be open to public inspection. No officer shall issue any certificate of nomination to any person until such statement as herein provided has been filed, and no other statement of expenses shall be required except that provided herein, and no fee or charge whatsoever shall be made or collected by any officer herein specified for the filing of such statements or a copy thereof.

The laws of the State of California have proven very wholesome and they have brought about good results.

The CHAIRMAN. The time of the gentleman from California has expired. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. Wingo) there were—ayes 11, noes 24. So the amendment was rejected.

Mr. WINGO. Mr. Chairman, I wish to offer another amendment of the same character, on page 12, line 16, to strike out "\$5,000" and substitute "\$2,500," and in line 19 to strike out "\$10,000" and substitute "\$5,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 16, strike out the figures "\$5,000" and insert in lieu thereof the figures "\$2,500," and in line 19 strike out the figures "\$10,000" and insert in lieu thereof the figures "\$5,000."

Mr. WINGO. Mr. Chairman, this amendment is not as drastic as one would think at first blush. It would be all right to limit it to \$5,000 and \$10,000 if it were not for the proviso, and with the proviso it simply means that the limit of \$5,000 and \$10,000 is on newspaper advertising and such things as that. A candidate does not have to include in the \$5,000 any money that he expends in the way of an assessment fee. He does not have to include his personal expenses. He does not have to include stationery and postage and hired workers under guise of circular distributors.

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

Mr. WINGO. Yes.

Mr. GARNER. In making his report to Congress under the present law, which is about the same as this provision in the bill, is it necessary to report his expenses in the way of stamps, stationery, posters, telephone and telegraph expenses?

Mr. WINGO. I included all of that. I do not think that the present law requires you to do anything of the kind.

Mr. GARNER. Let me get the gentleman's construction of it. I know a great many Members of Congress are not reporting expense for stamps, stationery, telegraph, and telephone—the exceptions made there. Some contend that they ought to be included in the report under the present law, while others say not. The blanks sent out by the Clerk's office would indicate that one should not include anything except what the law requires you to report, such as newspaper advertisements, clerk hire, and so forth.

Mr. WINGO. Mr. Chairman, I do not think the present law requires you to report all of those things mentioned. But here is a proposition: Under the present law and under this provision most or the greater part of your expenses are absolutely exempted, and you do not have to account for them. I know one man who expended \$19,000, and under the law as it is written—and he is a good lawyer and he did not think he had to account but for \$5,000, and I examined it pretty closely and I did not think he transgressed the law—he did not account for the additional \$14,000 expended for the things he did not have to account for. He sent a man around the country representing him, distributing circulars, and that man was nothing but a worker for him, but he was all of the time distributing circulars. He had other men to represent him at the polls, and those men were distributing circulars at the polls. If you are going to exclude from the limit the greater part of the expenses, and those things which really are the things that you ought to stop, then why have such a large limit of \$10,000 and \$5,000? In other words, I think \$2,500 is enough for a Member of Congress to expend in advertising that he has to account for.

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

Mr. WINGO. Yes.

Mr. RUCKER. Some gentlemen in some districts incur more or less expenditures in renting halls for public meetings.

Mr. WINGO. Yes; you do not exempt that.

Mr. RUCKER. That would be part of the \$5,000.

Mr. WINGO. Yes.

Mr. RUCKER. If they take a party of friends from one town to another and pay their hotel and railroad bills they would have to account for that.

Mr. WINGO. That is the reason why I can not understand why the gentleman does not include the renting of halls in his exemption here, for the rent of halls, public meeting places where everything would be public, is a proper exemption. Why should not that be excluded in preference to circulars and such as that?

Mr. RUCKER. If the gentleman will permit me, this language was framed in the Senate and not in the House.

Mr. WINGO. Framed in the Senate?

Mr. RUCKER. Yes; the bulk of it; and some of us were so uneasy for fear there might be a change of heart in some other

legislative hall that we were content to leave this as the Senate has written it.

Mr. WINGO. I am not interested in that; I am interested in what we do, and I will let them do what they wish to do.

Mr. RUCKER. But the gentleman will bear in mind—I do not want to consume his time, but I want to suggest—there are Members on the floor of this House, probably here to-day, who insist earnestly that \$5,000 is too small a sum to conduct campaigns in their districts in that way for perfectly legitimate expenses.

Mr. WINGO. Under this bill as it is written any man in this House can expend \$100,000—

Mr. RUCKER. He might for some purposes.

The CHAIRMAN. The time of the gentleman has expired. The question is upon the adoption of the amendment offered by the gentleman from Arkansas.

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

Mr. RUCKER. Mr. Chairman, I do not believe the House wants to defeat this bill, and I ask for a division.

The committee divided; and there were—ayes 23, noes 22.

Mr. RUCKER. Mr. Chairman, I ask for tellers on this.

The CHAIRMAN. Those in favor of ordering tellers will rise and stand until counted. [After counting.] Fifteen gentlemen have risen, not a sufficient number, and tellers are refused.

So the amendment was agreed to.

Mr. RAKER. Mr. Chairman, in line 15 it says, "regular post offices." What does the gentleman mean by that? I move to strike out the word "regular."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, line 15, strike out the word "regular."

Mr. RAKER. Would the gentleman from Missouri, the chairman of the committee, give me his attention for a moment? What is the purpose of putting in the word "regular"? What distinction does that have?

Mr. RUCKER. I do not know any more than the ordinary meaning of the word "regular." I believe the gentleman could take it out. It would not hurt the bill now. You can take it out. It will not hurt the bill any.

Mr. WINGO. We have not reached that paragraph.

Mr. RAKER. It is the same paragraph.

Mr. RUCKER. No; it is not the same paragraph.

Mr. RAKER. I beg the gentleman's pardon. I withdraw the amendment.

Mr. WINGO. Mr. Chairman, I offer an amendment to the pending paragraph, to strike out the entire proviso, beginning with line 20, page 12.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 20, strike out the entire proviso, beginning with line 20, down to and including line 5, page 13.

Mr. RUCKER. Mr. Chairman, I want to just say one more word to the committee and then I am not going to annoy the membership any longer. I hope that nobody who is friendly to this legislation will vote for the amendment of the gentleman from Arkansas, although I do not mean to assail his attitude at all. If this amendment should prevail, there is just one of two alternatives, either we have got to let the Senate write the bill for us, or the friends of publicity murder this bill, one of the two. There is no possibility on earth, we might as well know it, of passing the bill through this Congress which requires candidates for the United States Senate in going over the great areas like the great States of Pennsylvania, New York, Missouri, Arkansas, and all the other States, to keep an itemized account of every expenditure which he makes. The public would lose faith when we proclaim ourselves to be friends of publicity, and men would then have some warrant in denouncing this as fake legislation.

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

Mr. RUCKER. Yes, sir.

Mr. WINGO. Is it not true one or more of the States the gentleman has named now have State laws requiring candidates for the governor of the State to do that thing which the gentleman has said is impossible, and do not they do it, and is not California one of them?

Mr. RUCKER. I do not believe that any State requires them to keep account of their personal expenditures, and, if there is, I am not responsible for State legislation.

Mr. KELLY of Pennsylvania. Pennsylvania is such a State that requires an itemized expenditure.

Mr. RUCKER. I do not care how many States have it.

Mr. MANN. Will the gentleman yield?

Mr. RUCKER. I will yield.

Mr. MANN. I would like to have any gentleman from any State where they have that law say whether it requires them to keep track of the 2-cent stamps they use and the amount of stationery they use.

Mr. DIFENDERFER. For the benefit of the gentleman from Illinois, I will say that I for one keep an account of 2-cent stamps.

Mr. MANN. And stationery?

Mr. DIFENDERFER. And the stationery, mileage, and money expended in every way.

Mr. MANN. And made a return? It seems—

Mr. RUCKER. Let me say I do not care how rigid this law may be. I believe I have already imposed upon the indulgence of the House to say heretofore that it does not affect me in any way. In the State of Missouri if I expend for nomination and election exceeding \$625, I am unworthy of a seat here, because I would be a criminal under that law. But our statute does not require me, when I go from town to town and stop at a lunch counter and hotels, to note down and keep an account of each lunch and each cup of coffee. I believe we are going to a dangerous extent when we ask that it be done.

I do not mean to question the wisdom of the gentleman who offered the amendment, but I tell you we can not possibly pass this bill, and I warn the gentleman now.

Mr. RAKER. Will the gentleman yield right there?

Mr. RUCKER. We will be responsible for deliberately killing it by loading it down.

Now I will yield to the gentleman from California.

Mr. RAKER. I just wanted to call the gentleman's attention to the fact that the statute of California I have just read requires all these things as to United States Senators, governors, and everybody.

Mr. MANN. Will the gentleman from Missouri permit me to ask a question of the gentleman from California [Mr. RAKER]?

Mr. RUCKER. I will.

Mr. MANN. Do the returns of the gentleman from California include all the space used in the CONGRESSIONAL RECORD in publishing his stuff for campaign purposes?

Mr. RAKER. I do not quite understand what the gentleman means.

Mr. MANN. Everybody else does.

Mr. RAKER. I thank the gentleman for the courteous answer.

Mr. WINGO. Mr. Chairman, just a moment before we vote. The object of the amendment that I have offered is to provide for publicity in fact and not simply in name. The cry is for publicity, and when you offer them publicity they say it is impossible. The gentleman from Illinois [Mr. MANN] says it is impossible for a man to keep a correct expense account. He says that the State laws have not been complied with. It is easy to keep an itemized account of what has been done. I usually buy stamps in \$10 blocks. That is the way I did in my personal campaign, and if I wish to carry the stamps with me, I buy them in \$1 blocks. I have a book in my pocket like the traveling men carry, and when I buy a ticket I charge it up, and I can take two little books that I have in my desk and tell you to a dime everything I spent when I was a candidate for Congress.

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

Mr. WINGO. With pleasure.

Mr. MANN. The gentleman is now a candidate for Congress, is he not?

Mr. WINGO. I will surely be a candidate.

Mr. MANN. Does the gentleman have his clerk keep an account of his stamps now and the stationery which he uses in writing to his constituents in reference to his candidacy apart from public business?

Mr. WINGO. Certainly. That is a very simple thing to do.

Mr. MANN. I wish the gentleman would bring us in a statement of how much he has used in the way of stationery and postage during the last month for political purposes and how much for congressional purposes.

Mr. WINGO. I have not used any for political purposes.

Mr. MANN. The gentleman can not be a candidate for a month without using it.

Mr. WINGO. I shall be a candidate in the fall. I have not written a letter this month in the interest of my candidacy.

Mr. MANN. The gentleman has written many. That is what the gentleman carries on a correspondence for.

Mr. WINGO. No; it is not for what I carry on my correspondence. I do not have to run two years at a stretch to get elected in my district. When I got the Democratic nomination last March I was elected, and the only expense I shall have this fall will be in stumping the district with some promis-

ing young Republican who wants a little publicity, and I will give it to him.

Mr. MANN. Of course where a man does not have any campaign to carry on it is easy to keep an expense account.

Mr. RUCKER. The House has also fixed the maximum campaign account at \$2,500 for Representative and \$5,000 for Senator. If we pass this they would have to take care of all the expenses.

Mr. WINGO. I do not believe the Senate should dictate the provisions of this bill. I am not afraid of the United States Senate, as some gentlemen seem to be. I think this House has enough power to write in a bill what it really thinks should be in a bill.

Mr. RUCKER. Does the gentleman believe it is possible to pass the bill if his amendment carries in that form?

Mr. WINGO. I think it is—through the House.

Mr. RUCKER. You think it is possible to make it the law?

Mr. WINGO. I do not know how the Senate or the President feels about it. I have not consulted with either one of them, and shall not.

Mr. MANN. How does the gentleman know how to vote, then?

Mr. WINGO. I generally vote as I please. But, Mr. Chairman, I think if you really want publicity, if you are in earnest, here is a good chance for you to get it.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Arkansas [Mr. WINGO].

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

Mr. RUCKER. Division, Mr. Chairman.

The committee divided; and there were—ayes 18, noes 31.

Mr. WINGO. I ask for tellers, Mr. Chairman.

Tellers were refused.

So the amendment was rejected.

Mr. WINGO. Mr. Chairman, I have another amendment.

The CHAIRMAN. The gentleman from Arkansas [Mr. WINGO] offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 12, line 25, after the word "subsistence," strike out the remainder of the paragraph.

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

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

Mr. WINGO. Division, Mr. Chairman.

The committee divided; and there were—ayes 13, noes 35.

So the amendment was rejected.

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

The CHAIRMAN (Mr. CLINE). The gentleman from Illinois [Mr. MANN] moves to strike out the last word.

Mr. MANN. I would like to ask the gentleman from Missouri what is the object of exempting from the limitation the assessment fee or charge levied by the laws of the State? That is a matter easily ascertained. Why should that be exempted from the report?

Mr. RUCKER. I will state to the gentleman why it was done. I suppose I am not violating any rule of propriety when I state the exact facts. In the State of Maryland Senators are required to be nominated by a primary election, and the law requires the candidates to pay the expenses of holding the primary election. Now, I am reliably informed, and was informed at the time this language was put in this bill, that the late Senator Rayner, the last time he was nominated, had no opposition; but under the law of his State he had to be nominated at a primary election, and, as he was the only candidate, he had to pay the entire expense of the primary, and it cost him about \$17,000.

Mr. MANN. Would not that be a very good reason for striking this out and making the State of Maryland have a civilized law on the subject?

Mr. RUCKER. I do not know that we can do that.

Mr. MANN. Of course, we can do it.

Mr. RUCKER. If the State of Maryland repeals that law and enacts a reasonable law in its stead, as many States do, and requires an entrance or announcement fee of \$100 or \$200 fixed by law, it can not corrupt anybody. Therefore we left it exempted.

Mr. MANN. Why was not that included in the limitation? In the case where there was a contest recently in the House, a controversy concerning the seating of the gentleman from South Carolina [Mr. WHALEY], he stated, without knowing that it was a violation of the law that was committed, that he had expended so much money—I think between \$4,500 and \$5,000—

and in addition had paid an assessment to the campaign committee, which the campaign committee had required him to pay, but which was not required under State law, and which raised the amount that he had expended over the \$5,000 limit. I did not call the attention of the House to it. I do not know whether anybody on the Committee on Elections had noticed it or not. It was evidently done in good faith; and yet he had violated the law because he had read this provision and assumed that the action of a voluntary political committee requiring him to make an assessment was the action of the committee under the authority of the State, which, of course, it was not.

Mr. RUCKER. I will say to the gentleman that, of course, it is within the power of each State to fix an entrance or nomination fee within its own discretion. One State may fix it at \$50, or another at \$100 or at \$500. All candidates must comply with that requirement.

Mr. MANN. The \$2,500 limit is a fair limit, and most of the States requiring that give something in return, which candidates do not receive where the requirement—

Mr. RUCKER. The public knows that every candidate must pay that fee when he declares himself a candidate. Therefore there is publicity.

Mr. MANN. It is not a question of publicity, but of limitation.

Mr. RUCKER. That money goes to the State and can not possibly be used for any purpose that anybody will complain of.

Mr. MANN. That does not make any difference. People do not complain of what we use our funds for now.

Mr. RUCKER. I do not think it should be charged.

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

Mr. MANN. I do.

Mr. GARNER. Is it the gentleman's construction of the present law that such expenditures as those for postage stamps, stationery, posters, telegraph and telephone charges, and such charges as are required under the State statute to be accounted for, are not required to be reported under this law?

Mr. MANN. The law provides that an assessment fee or charge made or levied upon candidates by the State law is not required to be reported, and the stationery account is not required to be reported.

Mr. GARNER. To illustrate, I myself have to make a report within the next 10 days of my campaign expenditures. In our State the law requires a district candidate to pay \$1 to each county to get his name on the ticket, provided the executive committee assesses him the \$1. Now, various committees have each assessed me \$1 to get my name on the ticket. That is done by virtue of a law passed by my State. As I understand it, under the Federal statute that is not necessary to be reported.

Mr. MANN. No; it is not necessary to be reported, although if I am making a report I would report it, as I usually report all expenses, regardless of what the law requires.

Mr. GARNER. The Clerk of the House tells me that some Members follow one policy and some another. I wanted to get the gentleman's construction.

Mr. MANN. A good many Members, I think, report expenses that they are not required to report.

Mr. RUCKER. Let me say that in my report of campaign expenses I necessarily include my stationery account and stamps, and all expenses of that sort, because the report I file here must be a duplicate of the one I file with the secretary of state in my State.

Mr. GARNER. But it is not necessary?

Mr. RUCKER. No.

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

The Clerk read as follows:

SEC. 10. That every statement required by this act shall be verified by oath or affirmation, taken before an officer authorized to administer oaths; and the depositing of any such statement in a regular post office, directed to the Clerk of the House of Representatives, or to the Secretary of the Senate, or to opposing candidates at their home address, if known, as the case may be, duly stamped and registered, within the time required herein, shall be deemed a sufficient filing or delivery of any such statement or duplicate thereof under the provisions of this act.

Mr. RUCKER. Mr. Chairman, I move to amend, in line 17, by striking out, after the word "Senate," the words "or to opposing candidates at their home address, if known."

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

The Clerk read as follows:

Page 13, lines 17 and 18, strike out the words "or to opposing candidates at their home address, if known."

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

The amendment was agreed to.

Mr. RUCKER. Mr. Chairman, I move to amend, on line 20, by striking out the words "or delivery."

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

Page 13, line 20, strike out the words "or delivery."

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

The amendment was agreed to.

Mr. RUCKER. Mr. Chairman, at the end of line 20, and line 21, I move to strike out the words "or duplicate thereof."

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

The Clerk read as follows:

Amend, page 13, lines 20 and 21, by striking out, after the word "statement" in line 20, the words "or duplicate thereof."

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

The amendment was agreed to.

Mr. RAKER. I move to strike out the word "regular," in line 15, page 13.

The CHAIRMAN (Mr. CLINE). The Clerk will report the amendment offered by the gentleman.

The Clerk read as follows:

Page 13, line 15, strike out the word "regular."

Mr. GRAHAM of Illinois. Mr. Chairman, it seems to me that the word "regular" ought not to go out. There are branch post offices and other places for mailing which would not come under this definition, and I think the word "regular" should remain in the bill.

Mr. RAKER. Will the gentleman yield?

Mr. GRAHAM of Illinois. Certainly.

Mr. RAKER. What can there be in the "regular"? Is there any distinction in post offices where they receive and register mail, so that a man ought not to be permitted to register his letter containing this statement at any post office where letters are registered? I can not understand what difference there is.

Mr. GRAHAM of Illinois. On that question of regular or irregular I am not quite sure of the meaning of the word "regular" as used in the bill.

Mr. RAKER. Are there any irregular post offices?

Mr. MANN. There is one at the House post office. That is not a regular post office.

Mr. GRAHAM of Illinois. There are a great many post offices that do not come under the title "regular" as used here. There are branch post offices and doubtless others that do not handle registered mail.

Mr. RAKER. Let me ask the gentleman this question: This statement must be registered. Can there be any distinction between post offices where letters may be registered?

Mr. GRAHAM of Illinois. I am not sure that the gentleman's description would fit. If the word "regular" included every post office where registered mail was handled, there could be no objection to that; but the chairman of the committee having this bill in charge informs me that he is willing that the gentleman's motion shall prevail, and I do not care to oppose his view of it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. RAKER].

The question was taken.

The CHAIRMAN. The ayes appear to have it; the ayes have it—

Mr. RAKER. Mr. Chairman—

Mr. BROWN of New York. Mr. Chairman—

Mr. BUTLER. Division, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania demands a division.

Mr. GARRETT of Texas. Mr. Chairman, a point of order. The demand for a division came after the Chair had announced the result, and the Chair has recognized the gentleman from California [Mr. RAKER].

The CHAIRMAN. The Chair will state that the gentleman from California has not been recognized at all. The Chair was attempting to recognize the gentleman from New York, but at that moment there was a division called for.

Mr. RUCKER. Mr. Chairman, is this on the amendment to strike out the word "regular"?

The CHAIRMAN. Yes.

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. Will the Chair have the amendment stated from the desk?

Mr. BUTLER. It is on the gentleman's amendment to strike out the word "regular."

The CHAIRMAN. The vote is on the amendment offered by the gentleman from California [Mr. RAKER] to strike out the word "regular," in line 15, page 13.

Mr. RAKER. Mr. Chairman, a parliamentary inquiry. That motion carried—

Mr. MANN. Oh, no; the motion did not carry. I ask for the regular order. We do not want to strike out the word "regular" here.

Mr. BROWN of New York. Mr. Chairman, I move to strike out the last word. The vote has not been taken—

Mr. BUTLER. Mr. Chairman, the committee is dividing. The Chair announced that the ayes had it, and a division has been asked for. We do not want to strike out the word "regular."

The CHAIRMAN. The question is on the amendment of the gentleman from California [Mr. RAKER], and on that a division is demanded.

The committee divided; and there were—ayes 9, noes 22.

Accordingly the amendment was rejected.

Mr. BROWN of New York. Mr. Chairman, I move to strike out the last word. While this corrupt-practices act is under discussion I should like to present to the House my opinion regarding some recent elections in the Republic of Mexico, and I ask unanimous consent to extend and revise my remarks in the RECORD.

Mr. MANN. What does the gentleman mean by "revising" his remarks?

Mr. BROWN of New York. Under the five-minute rule it is impossible to make an extended address, and I desire to discuss the Mexican elections.

Mr. MANN. The gentleman referred to "revising" his remarks.

Mr. BROWN of New York. I shall be very glad to adopt any suggestion of the gentleman from Illinois.

Mr. BRYAN. Regular order!

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I am in favor of a definite limitation of campaign expenditures. The greater the limitation the better. I am in favor of the widest publicity of such expenditures as are made, and the law should be clear, definite, explicit, and strictly enforced. We all realize, however, that the best protection against improper influences in elections is to be found in a virtuous and intelligent electorate. Therefore I have for many years been in favor of inviting into participation in the affairs of government all intelligent and honest people, without regard to sex. The State which I have the honor to represent upon the floor of this House has for many years granted the right of suffrage to all of its citizens, without regard to sex. We have so prospered politically under that policy that our people are universally favorable to its extension throughout the Nation. I desire to extend my remarks by placing in the RECORD some resolutions adopted by the citizens of Laramie, Wyo., in favor of the adoption of an amendment to the Federal Constitution for woman suffrage.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to extend his remarks in the RECORD by publishing a petition in favor of woman suffrage. Is there objection?

There was no objection.

The petition is as follows:

NATIONAL AMERICAN WOMAN SUFFRAGE ASSOCIATION.

We, the citizens of Laramie, Wyo., have assembled to-day to voice our demands that women, as citizens of the United States, be accorded the full right of such citizenship. We congratulate the 4,000,000 women voters who have won their right to the ballot in 10 States, and confidently expect to see 5 more States under the franchise banner after the November elections.

We hereby declare that suffrage for women has become a national as well as a local issue, and we urge our Senators and Representatives in Congress to enact Federal legislation which will insure to women political equal rights with men.

We therefore ask the Congress of the United States to proceed without delay in the most feasible and practical manner to remove the barriers which prevent American women from the exercise of full franchise, and to make our country not a Government in which half the people are denied the right of participation, but in truth and reality a democracy.

The above and foregoing is a true and correct copy of a resolution passed at a mass meeting held at Laramie, Wyo., this 2d day of May, 1914.

Mrs. E. H. KNIGHT, *Presiding Officer.*

Attest:

EVA J. PATCHELL, *Secretary.*

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 11. That the statements required by section 9 of this act to be made before nomination and before election shall include the full name and post-office address, if known, of each opponent for nomination or election, as the case may be, together with the name or number of the

Federal judicial district in which such opponent resides. And if any person thus named as a candidate for nomination or election to any office referred to in said section 9 shall fail, neglect, or refuse to file any statement therein required, it shall be the duty of the Clerk of the House of Representatives or the Secretary of the Senate, as the case may be, within 30 days after such statement or statements should have been filed, to certify that fact to the district attorney of the United States for the Federal judicial district in which said candidate resides.

Mr. THOMSON of Illinois. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee the reason for the last line on page 13, which reads:

That the statements required by section 9 of this act to be made before nomination and before election shall include the full name and post-office address, if known, of each opponent for nomination or election, as the case may be, together with the name or number of the Federal judicial district in which such opponent resides.

Mr. RUCKER. I will answer the gentleman by saying that further on in the bill, in the next section, it imposes a certain duty on the Clerk of the House and the Clerk of the Senate to notify the district attorney in whose district the candidate resides, and this is in order to give the clerk that information.

Mr. BRYAN. I want to say that that puts upon the candidate who does not know the law a great many restrictions and requirements and a whole lot of trouble, which will cause, probably, many violations of law, just in order to give information to the Clerk of the House and the Clerk of the Senate. It seems to me that it would be better to let the clerks get the information in some other way.

Mr. RUCKER. What does the gentleman mean by saying that it causes a violation of law?

Mr. BRYAN. It makes a violation of the law more likely.

Mr. RUCKER. There is no probability of this bill becoming a law before the next election this fall. When it does become a law—if it ever does, and I think it will—I think plans have already been devised by which every candidate of every political party will be thoroughly advised of all the provisions of law and furnished with the proper blank.

Mr. BRYAN. Well, the blanks will help some.

Mr. RUCKER. And the law itself will be furnished with them.

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. Would it be permissible to offer an amendment in the way of a new section following section 11?

The CHAIRMAN. The Chair thinks it would.

Mr. RAKER. Then, Mr. Chairman, I offer the following as a new section to follow section 11.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

To follow section 11 as a new section:

"That no political committee, under the provisions of this act, shall give, contribute, expend, use, or promise or cause to be given, contributed, expended, used, or promised in procuring the nomination and election any sum in the aggregate in excess of the amount which it may lawfully give, contribute, expend, or promise, under the laws of the State in which the election is held, for such Representative in Congress or United States Senator: *Provided*, That no political committee, for a candidate or candidates for Representative in Congress, shall give, contribute, expend, use, or promise any sum in the aggregate exceeding \$5,000 for each such candidate for Representative in Congress, in any campaign for his or their nomination and election; and no political committee, for a candidate or candidates for Senator of the United States, shall give, contribute, expend, use, or promise any sum in the aggregate exceeding \$10,000 in any campaign for each such candidate for Senator of the United States in any campaign for his or their nomination and election."

Mr. RAKER. Mr. Chairman, this amendment is intended to correspond to a like provision for the campaign alone. It fixes the limit for each Representative at \$5,000 and for a Senator at \$10,000, and the committee can not expend more than that now provided in each State where there is a limit placed on it, and when there is no limit, then the amount is expressed in the bill.

Mr. MADDEN. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. MADDEN. I understood that the committee had adopted an amendment making the expenditure \$2,500 and \$5,000. Was the gentleman here when it was adopted?

Mr. RAKER. Yes; I voted for it.

Mr. MADDEN. Now the gentleman wants to increase that.

Mr. RAKER. I offered this because there were a good many votes in favor of this when the amendment was adopted. This is a limitation upon the committee. The way it stands now the committee may spend \$100,000 for one candidate and a half a million for a candidate for Senator.

This puts a limit on the committee for each candidate in Congress of \$5,000 and each United States Senator of \$10,000. There is no law on the subject at all, and noticing the temper of the House I thought they would be more apt to take a \$10,000 and \$5,000 limit than a \$5,000 and \$2,500 limit.

Mr. SELDOMRIDGE. Is it not a fact that political committees conducting campaigns are spending money for all can-

didates upon the State ticket as well as the candidate for Congress? How are you going to differentiate and limit the committee in the expenditure of their money? They have a certain amount of money to spend, and that money is expended for all the candidates on the ticket.

Mr. RAKER. Where they can not differentiate, I would not care so much about it—let it go as a general limit. I would not care for that, but where there is no limit at all on a committee, the man may go to a particular committee and contribute \$100,000 for his campaign expenses, and that ought to be prohibited. Five thousand dollars is enough for any committee per each candidate for the House and \$10,000 per candidate for the Senate. The candidate himself has \$2,500 and the Senator \$5,000, and under this limitation for a committee, \$10,000 and \$5,000 is enough for any man to present his claims legitimately before the constituencies of this country.

Mr. SELDOMRIDGE. Does the gentleman understand from the law as we now have it that the candidate for Congress can contribute to a committee in addition to the \$2,500 that he can spend for himself, or does the \$2,500 conclude the sum total of his expenses?

Mr. RAKER. That is not the question that was asked before, and it is not what I assume to answer. A man may expend \$2,500, if the bill should become a law, under this bill. Under the law as it now stands it is \$5,000. There is no limitation to a man's friends or anybody else contributing to a campaign committee any sum from \$10,000 to \$100,000 for his campaign, and that money will be used and no account made of it.

Mr. RUCKER. Mr. Chairman, I think the gentleman is mistaken about that.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes. I yield to my distinguished friend.

Mr. GRAHAM of Illinois. When the limitation is on the candidate himself, it is easy to require a detailed account of it, but when you put a limitation on a campaign committee, the gentleman must not forget that the committee not only represents the candidates for Congress, but a great many other candidates. How will that committee differentiate as to whether the money is expended for the candidate for Congress or for the candidate for a State or local office on the same ticket with him?

Mr. RAKER. Mr. Chairman, ought it not to be sufficient, ought it not to be enough expenditure for a man's friends to contribute \$5,000 to a campaign committee to expend in behalf of his nomination and election, when they give their best attention and assistance to electing him? Ought his friends or enemies or anyone for any particular interest be able to put \$50,000 or \$100,000 in the committee's hands for the purpose of electing a particular United States Senator or a Member of the House of Representatives?

Mr. GRAHAM of Illinois. Mr. Chairman, I do not care to answer that question, but the gentleman does not reach my question.

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

Mr. RUCKER. Mr. Chairman, I hope the amendment offered by the gentleman from California will be voted down. It is attempting to do what the House has refused to do, namely, to go into the States and seek to control the minor committees of the State.

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

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 12. That the Clerk of the House and the Secretary of the Senate shall, on or before the 15th day of January next after any general or special election for Representatives in Congress or Senator of the United States, report to the House and Senate, respectively, the name of each candidate for nomination or election to such office who has filed statements as required by this act, giving his place of residence and the congressional district or State, as the case may be, in which he was such candidate, and the total amount of campaign expenses paid or promised by him or by anyone for him, as shown by such statements; also the name of each candidate for such nomination or election, as shown by the files of his office or otherwise ascertained, whether nominated or elected or not, who has failed, neglected, or refused to file any or all of the statements required by this act, giving his place of residence and the congressional district or State, as the case may be, in which he was such candidate, as shown by said files or otherwise ascertained. The report required by this section shall be printed as a public document.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. As I understand section 12, it makes it the duty of the Clerk of the House to ascertain every man who has violated the law; that is, who has not filed a statement. What does this mean?

Also the name of each candidate for such nomination or election, as shown by the files of his office or otherwise ascertained, whether nomi-



nated or elected or not, who has failed, neglected, or refused to file any or all of the statements required by this act.

Suppose a man does not file a statement at all. Is it the duty of the Clerk of the House to find out who was a candidate in the State of Missouri or in the State of Illinois, whether he was nominated or elected?

Mr. RUCKER. Mr. Chairman, I will answer that in this way: If the gentleman will read the entire section and the one preceding it he will find that the bill would amend existing law in this way: When we file our statements before nomination, and then before election we are required to state in those statements the name or names of our opponents, and this section requires the Clerk of the House to take notice of the names of those opponents, and then if anybody whose name is thus mentioned fails to comply with the law, he certifies that fact.

Mr. FOSTER. It is done in that way?

Mr. RUCKER. Yes. There is no question about it; it is very clear.

Mr. FOSTER. I notice the report required by this section shall be printed as a public document. Do all of these statements have to be printed as a public document?

Mr. RUCKER. Oh, no. This section requires the Clerk, on or before the 15th of January, I believe it is, to make a report to the House. That date was fixed in this way: The law as it now stands gives 30 days after the election within which the last statement may be filed, which would run it up to about the 1st or the 5th of December. At that time the organization of the House is going on, and there is confusion, and then comes very shortly the recess for the Christmas holidays. Therefore, this date was arbitrarily fixed as on or before the 15th day of January when the Clerk must file a statement in the House showing the names of gentlemen who have filed statements and the aggregate amount expended as shown by the statements, and then another page showing those who are candidates who have not filed statements, and I should think three or four pages would be the length of it.

Mr. FOSTER. I should think not in the case of two or three thousand names.

Mr. RUCKER. I might possibly be wrong about that.

Mr. FOSTER. There are 435 Members.

Mr. KELLY of Pennsylvania. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 3, after the word "ascertained," strike out the period and insert a semicolon and the following: "Also the complete report of political committees as defined by this act."

Mr. KELLY of Pennsylvania. Mr. Chairman, this measure has to do with certain political committees which have jurisdiction over two or more States. To my mind, that very seriously cripples a measure for honest elections; but, more than that, there is no requirement for the publication of these committee reports. It is a vital omission and should be corrected. The Senate in 1912 held a hearing at which something like 4,000 pages of testimony were taken on the elections of 1904 and 1908 which would have been entirely unnecessary and the expense avoided had such a provision as that contemplated in my amendment been in force at that time. When publishing the total expenditures of candidates, why should not the national committees' statements be included and published in this particular document? If any Member of this House undertakes to go to the national committee reports of 1912 he will find it is a Herculean task to locate and systematize them, and that it is impossible to find vital facts, facts of contributions to campaign funds, unless hours are spent in the labor. I feel that my amendment added to this bill would be of great importance, because it would give the publicity that the people want. The movement back of this bill is a demand for the truth, a movement to disclose the influences and forces back of parties and back of candidates, and that movement is wider than many Members here realize. It has come from public enlightenment; it has come from the multiplication of books and papers; it is a great moral wave of repudiation of corruption in politics. It is the mighty power of the trend toward people's rule, and the only way to secure genuine democracy is to have the people know exactly the influences back of candidates and back of political committees. No halfway measure is justified, for there can be no compromise here without a surrender to corrupt influences in government. I believe great good will come in having the national committees' reports published in public documents, and I hope that this amendment will prevail.

Mr. MADDEN. The supposition is that the people are behind the candidates.

Mr. KELLY of Pennsylvania. There is a supposition to that effect, but it is a fact that other interests than the people are back of certain candidates.

Mr. MADDEN. Will the gentleman name some of them?

Mr. KELLY of Pennsylvania. The great interests of crooked big business, the railroad interests, the liquor interests, and others have and are attempting to dictate the election of officials who are "supposed" to serve the whole people.

A number of men, who depended for their support upon those interests have been driven from public life, and there are more to follow. There were exposures, for instance in Ohio, and in other States where men high in office were scourged out of public life because of publicity turned upon their alliance with those interests.

Mr. FESS. Will the gentleman yield?

Mr. KELLY of Pennsylvania. Yes.

Mr. FESS. Who are the Ohio people?

Mr. KELLY of Pennsylvania. I was referring to the formerly distinguished Senator from Ohio, who is also a candidate at the present time for reelection, and whose retirement to private life was due to the exposure of certain influences back of him when he was a public official and was supposed to be representing the people.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I yield to the gentleman from Washington.

Mr. HUMPHREY of Washington. I wondered what interest the Harvester combine is back of—what candidate it is behind.

Mr. KELLY of Pennsylvania. The gentleman always tries to distort facts by bringing in matters—

Mr. HUMPHREY of Washington. Oh, no.

Mr. KELLY of Pennsylvania. Which are entirely extraneous.

Mr. HUMPHREY of Washington. Two representatives of the Harvester combine were prominent in politics.

Mr. KELLY of Pennsylvania. I will say to the gentleman that I think that the Harvester interests in support of any candidate should be shown. I am in favor of showing every influence back of parties and back of national committees; and this Harvester influence to which the gentleman referred is not in any way opposing publicity. That is a mighty good test. Let all others meet it as faithfully, and the people will do the rest.

Mr. HUMPHREY of Washington. Which one does the gentleman favor—Pinchot or Perkins?

Mr. KELLY of Pennsylvania. Oh, the gentleman, as usual, distorts the question and brings in an issue which is entirely apart from the proposition. I am arguing for the publishing of the accounts of political committees, to let the people know exactly who and what are back of candidates; and neither Perkins nor Pinchot are candidates for office.

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

The question was taken, and the Chairman announced the yeas and nays.

On a division (demanded by Mr. KELLY of Pennsylvania) there were—yeas 32, noes 30.

Mr. RUCKER. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. RUCKER and Mr. KELLY of Pennsylvania) reported that there were—yeas 33, noes 32. [Applause.]

So the amendment was agreed to.

The Clerk read as follows:

SEC. 16. That this act shall not be construed to annul or vitiate the laws of any State, not directly in conflict herewith, relating to the nomination or election of candidates for the offices herein named, or to exempt any such candidate from complying with such State laws.

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

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

The Clerk read as follows:

Amend, on page 16, after the end of line 2, by inserting as a new section the following:

"That the words 'Representatives,' and 'Representatives in the Congress,' whenever they occur in this act, shall be held and construed to include and embrace Delegates to the Congress of the United States, and all the provisions of this act shall apply to candidates for Delegates to the Congress of the United States."

Mr. RUCKER. Mr. Chairman, I know the House is restless to get through with this bill, and unless some gentleman desires, I will not discuss it at all.

Mr. COX. Does that apply to Resident Commissioners also?

Mr. RUCKER. No; it only applies to Delegates.

The CHAIRMAN. The question is on the adoption of the amendment.

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 17. That every person who shall willfully violate any of the provisions of this act shall, upon conviction, be fined not more than \$1,000 or imprisoned not more than one year, or both.

Mr. RAKER. Mr. Chairman, I move to strike out the word "willfully" in line 3, page 16.

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

The Clerk read as follows:

Amend, page 16, in line 3, by striking out the word "willfully."

Mr. RUCKER. Mr. Chairman, I hope that the word will not be stricken out. So far as I am concerned, I am not going to yield to that slanderous circular that came here this morning. There is not a lawyer in this House but knows that, after all, no crime can be committed that is not willfully committed, and "willfully" means, from the time the first law book was written down to this time, "intentionally."

Mr. RAKER. I think the word "willfully" ought to go out. The word "knowingly" ought not to be in there.

Mr. RUCKER. Does not the word "willfully" in this case mean "intentionally"?

Mr. RAKER. Yes.

Mr. RUCKER. Can a man violate the law without doing it intentionally?

Mr. RAKER. No; and therefore the words "to know" belong in there, because in the commission of these crimes there must be some intent.

Mr. RUCKER. I would like to ask the gentleman if he ever read a criminal statute in his life that did not qualify it in this way?

Mr. RAKER. Most of them. And it avoids a whole lot of complication in a trial before a jury. If it is out of the statute, it makes it much plainer. If a man violates this law, make him suffer.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. RAKER].

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

Mr. RAKER. Division, Mr. Chairman.

The committee divided; and there were—ayes 22, yeas 38.

So the amendment was rejected.

Mr. FESS and Mr. BRITTEN rose.

The CHAIRMAN. The gentleman from Illinois [Mr. BRITTEN] is recognized.

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

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

The Clerk read as follows:

Amend, section 17, page 16, by placing a comma after the word "both," in line 6, and add the following:

"That no person being elected a Senator, Member of or Delegate to Congress, or a Resident Commissioner, shall after his election or appointment, and either before or after he has qualified and during his continuance in office, deliver any lecture or address for pay other than his actual traveling and hotel expenses during the time that Congress is in session."

Mr. RUCKER. Mr. Chairman, I make a point of order on that. It is not germane to the legislation at all.

Mr. BRITTEN. I hope the distinguished chairman of the committee will not make the point of order on this. I am willing to leave the amendment to the House to decide. I realize it is subject to a point of order, but there is no question about the advisability of incorporating in this act something of this kind.

Mr. RUCKER. I make the point of order.

The CHAIRMAN. The gentleman from Missouri makes the point of order, and the point of order is sustained.

Mr. FESS. Mr. Chairman, I move to strike out the last word. Members of the committee, a remark was made by my friend from Pennsylvania [Mr. KELLY] awhile ago that I do not think ought to go unchallenged. I deplore more than I can tell you the cycle of thinking that this Nation is in to-day that leads men to speak as if men who had been defeated in contests heretofore have been defeated largely because of crooked practices or bad character.

I hold not the brief of any man mentioned from the State of Ohio, but when anyone will hint that the distinguished gentleman whose name was mentioned is a man subject to bribe or subject to the sordid influence that would prevent his voting upon matters pertaining to the welfare of the Nation as against his own selfish interests I do not think such a statement ought to go without challenge. I know this man that my good friend from Pennsylvania mentions. I know him intimately; and I want here and now, with all the vigor of my protest, to speak against the habit of Members on this floor and elsewhere taking the name of public men in vain and charging them, either

specifically or by innuendo, with being men without character. [Applause.]

I do not believe that my friend here, knowing him as I do, and knowing his high standing and character, would for a moment, if he knew the facts, draw his conclusions from the cheap newspapers and also from the magazine that runs the penny-a-liner, and take from these his judgment and here on this floor declare that one of the ablest men now in the State of Ohio that this Nation has known is subject to bribe and controlled by sordid influences.

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

Mr. FESS. It seems to me that the remark ought to be withdrawn.

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

Mr. FESS. At least unless some definite information is given to support it.

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

Mr. FESS. I know what the gentleman from Pennsylvania refers to, and I believe I can give him information that will satisfy him, because, in my opinion, he is a fair-minded man. The source of information that the gentleman from Pennsylvania has drawn his conclusion from is not a correct source, and the gentleman's conclusion is not warranted by the information. I can tell you what had occurred in regard to the thing that the gentleman was mentioning, and I can not stand here as a citizen of the State of Ohio and listen in silence to a man being slandered on this floor without a chance to reply to the slander. [Applause.]

Mr. KELLY of Pennsylvania. Mr. Chairman, the gentleman from Ohio [Mr. FESS], with all the fervor of a Crusader, takes up the cause of one whose name I did not mention on the floor, but who was so well known to common report that when I indicated, as I did, that he had been scourged out of public life because of his relations with sinister powers in this Government, the gentleman from Ohio knew exactly whom I meant and rose to his defense.

I am willing to admit the gentleman's statement that there is a school of thought in this country that does not hold public men above criticism, a school of thought which he seems to be very much afraid of in this country. You hear a great outcry coming from reactionaries about the injustice of attacks upon public servants who insist upon the divine right of rulers and the doctrine of lese majesty.

Mr. FESS. Will the gentleman yield right there?

Mr. KELLY of Pennsylvania. I would like to have a little attention paid to the other side of the question. While Tories denounce demagogues and others who criticize those holding office when they prostitute their offices to improper purposes, I would like to have a little notice given those who use their respectability and their morality and their high standing among their fellow men for the purpose of defending everything that is false and everything that is evil in our public life. [Applause.]

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

Mr. DONOVAN. Mr. Chairman, a point of order. The gentleman from Ohio [Mr. FESS] knows better than to do what he is doing. He must address the Chair if he wants to interrupt the gentleman from Pennsylvania.

The CHAIRMAN. Does the gentleman yield?

Mr. KELLY of Pennsylvania. I can not yield. The gentleman from Ohio had five minutes in which to defend his friend from Ohio.

I want to say, Mr. Chairman, there is another school of thought in this country, a school far more dangerous than that which holds up to censure those who conduct themselves dishonorably in public office. I believe that every public official is a public servant, and when he refuses or neglects to serve the interests of the public he should be driven from the place he has discredited. I am in favor of having critics, not only on the floor of this House to denounce the sinister influences of invisible government, but an army of critics all over the Nation, who will watch public officials who are elected to represent them, and if these fail to represent them honorably will denounce them and scourge them from office.

The gentleman from Ohio defends his friend who is a primary candidate for United States Senator on the Republican ticket in the State of Ohio. The gentleman says he can clear the good name of that candidate. Why did he not clear his name when he withdrew under fire, with the absolute certainty of being proven guilty?

Mr. RUCKER. Mr. Chairman—

Mr. KELLY of Pennsylvania. He was then assailed, and it was then the proper time for the gentleman from Ohio to clear his name.

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

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Missouri?

Mr. KELLY of Pennsylvania. I can not at this time.

The CHAIRMAN. The gentleman declines to yield.

Mr. RUCKER. Then I make the point of order, Mr. Chairman, that the gentleman is proceeding out of order.

Mr. DONOVAN. Mr. Chairman, I will make the point of order that there is no quorum present. What is fair for one is fair for the other. The chairman of the committee violates every rule of procedure.

Mr. BRYAN. Mr. Chairman, the gentleman from Pennsylvania is absolutely in order.

Mr. RUCKER. I make a point of order, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Pennsylvania yield?

Mr. RUCKER. What did the gentleman say about the chairman of the committee?

Mr. DONOVAN. I say that the chairman of the committee violates every rule and is regardless of the proprieties.

Mr. RUCKER. What rule?

Mr. TOWNSEND. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania be allowed to continue for 10 minutes more. He is giving us a great deal of interesting history.

Mr. FESS. Mr. Chairman, reserving the right to object—

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KELLY] has the floor.

Mr. TOWNSEND. I ask that my request for unanimous consent be put, Mr. Chairman. I do not think we ought to withhold from the RECORD these valuable truths that are being distributed. [Laughter.]

Mr. HAMILTON of Michigan. Mr. Chairman, has the time of the gentleman from Pennsylvania [Mr. KELLY] expired, or is he entitled to proceed?

Mr. TOWNSEND. I ask unanimous consent, Mr. Chairman, that his time be extended.

Mr. GOOD. Reserving the right to object, Mr. Chairman, I would like to ask the gentleman if he will not extend that request to 15 minutes, giving me 5 minutes to make some remarks on the subject of—

Mr. TOWNSEND. Certainly.

The CHAIRMAN. Does the gentleman from Missouri [Mr. RUCKER] insist upon his point of order?

Mr. RUCKER. I made the point of order, Mr. Chairman, merely to induce the gentleman to stop a moment, so that I could ask him a question, but he refused to stop.

Mr. GOOD. Reserving the right to object, Mr. Chairman—

The CHAIRMAN. The gentleman from Pennsylvania has the floor.

Mr. KELLY of Pennsylvania. Mr. Chairman, I yield to the gentleman from Missouri, since he makes a point of my refusal.

Mr. RUCKER. I do not care now to ask the gentleman any question.

Mr. KELLY of Pennsylvania. Mr. Chairman, I refuse to stand here as a Member of this House and listen to strictures upon those who have criticized men in public life. The gentleman from Ohio [Mr. Fess] defended one whose name was not mentioned. He says he knew the facts that would clear that gentleman's name of any aspersions that had been made upon him. I said, "Why did you not bring them out at the time?" These are not unsupported magazine assertions and statements from newspapers to which I and the gentleman are referring. These are court records. They are to be found in the hearings of the Senate committee. They are to be found in the actions of the ex-Senator himself out in Ohio, who withdrew under a storm of fire because he knew he was guilty and for no other reason whatever. [Applause.]

The matter is directly in line with my amendment, which caused the outbreak from the gentleman from Ohio [Mr. FESS]—the right of the people to know about the conduct of their Government, the right of the people to have a flashlight turned upon the facts of the conduct of their representatives.

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

Mr. FESS. Mr. Chairman—

Mr. TOWNSEND. Mr. Chairman, now I renew my request.

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] has already addressed the committee on this motion, has he not?

Mr. FESS. I move to strike out the last two words.

Mr. TOWNSEND. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. Fess] may address the com-

mittee for 10 minutes and that the gentleman from Iowa [Mr. Good] also have 10 minutes.

Mr. DONOVAN. Mr. Chairman, I am going to object.

Mr. BUTLER. I have waited here three days to vote on this bill, and I object.

Mr. DONOVAN. I ask for the regular order.

Mr. MONDELL. Regular order, Mr. Chairman.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 18. That all acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Mr. RUCKER. Mr. Chairman, I ask unanimous consent that the sections be renumbered to correspond to the amendments to the bill. Now, I call attention to the fact that when we read section 3 of the bill it was passed over to be recurred to.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the sections of the bill be renumbered to correspond to the amendments that have been made. Is there objection?

There was no objection.

Mr. RUCKER. Now, Mr. Chairman, I ask that we recur to section 3 for the purpose of offering an amendment.

The CHAIRMAN. Section 3 was passed over, and the gentleman from Missouri offers an amendment to it, which the Clerk will report.

The Clerk read as follows:

Page 3, line 19, after the word "committee," insert "the actual expenses of maintenance of committee headquarters."

The amendment was agreed to.

Mr. GOOD. Mr. Chairman, I offer an amendment as a new section.

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

Mr. FOSTER. Mr. Chairman, a parliamentary inquiry. Where does this amendment come in?

Mr. GOOD. At the end of line 21, page 3.

Mr. FOSTER. How does it come that we return to this section?

Mr. RUCKER. When we reached section 3 there was some discussion with reference to one provision of it, and we passed it over with unanimous consent to return to it.

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

The Clerk read as follows:

Amendment by Mr. Good:

"At the end of line 21, page 3, insert as a new section the following: "Any political advertisement contained in any newspaper shall, when published, contain the name of the committee, person, firm, or corporation who has caused the same to be published, and who has paid or agreed to pay for the publication thereof."

Mr. GOOD. Mr. Chairman, this amendment is along the line of many of the provisions of the public law and of this bill that we are considering. The amendment which I have offered simply provides that when any newspaper publishes a political advertisement, that advertisement shall contain the name of the person or committee that has paid for it or agreed to pay for it. For example, if any corporation desires to defeat a Member of Congress or a Senator, and inserts an advertisement in a newspaper without putting any name to the advertisement, but simply the words "Democratic committee" or "Republican committee" or "Progressive committee," nobody knows who has inserted that advertisement. The public mind is poisoned, but nobody is liable for the publication. The amendment which I have offered simply provides that the person or political party that inserts it and pays for it or agrees to pay for it shall have the name thereof printed at the bottom of the advertisement.

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

Mr. GOOD. Certainly.

Mr. COX. Without a provision such as the gentleman proposes, it is perfectly possible, is it not, for newspapers to print editorials attacking candidates right and left, but if the gentleman's amendment is agreed to, then the name of the writer must be disclosed.

Mr. GOOD. I do not believe my amendment would apply to an editorial.

Mr. COX. It ought to.

Mr. GOOD. The editor of the newspaper is supposed to be the author of an editorial, but under the law now, when a political advertisement is printed in a newspaper, the law compels the newspaper to print at the head of that advertisement the words "Political advertisement." Now it is only to those advertisements that this amendment would refer.

Mr. COX. Suppose I write an editorial assailing my opponent, and the editor prints it as an editorial. The ordinary average reader of that paper understands that the editor of the paper has done it. Does not the gentleman think that my name ought to be attached?

Mr. GOOD. We should be able to reach such conditions, but I doubt if such a provision would be germane to this bill.

Mr. COX. I hope it will be. I know of just such instances as that.

Mr. FESS. Mr. Chairman, I move to strike out the last word. I want to be courteous to the chairman of this committee, and I am not going to say anything that will embarrass him or any Member of the House. I want to call attention to the statement of my friend from Pennsylvania [Mr. KELLY], in which he said—

Mr. DONOVAN. Mr. Chairman—

Mr. FESS. I refuse to yield to the gentleman.

Mr. DONOVAN. I wish to make the point of order that the gentleman from Ohio is not talking to the matter before the committee, which is the amendment of the gentleman from Iowa [Mr. Good].

Mr. KELLY of Pennsylvania. I hope the gentleman will withdraw that point of order.

Mr. DONOVAN. We have had enough of that.

Mr. FESS. The gentleman from Pennsylvania said he did not use a name that he did use. It is in the RECORD.

The CHAIRMAN. The gentleman from Connecticut makes the point of order that the gentleman from Ohio is not discussing the pending amendment. The gentleman from Ohio will proceed in order.

Mr. RAKER. I move that the gentleman from Ohio be permitted to proceed.

Mr. BUTLER. I ask unanimous consent that the gentleman from Ohio [Mr. Fess] may have five minutes—

Mr. FESS. Two minutes.

Mr. BUTLER. That the gentleman from Ohio may have two minutes, in which he may say what he pleases.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BUTLER] asks unanimous consent that the gentleman from Ohio [Mr. Fess] may have two minutes to proceed as he desires in this discussion. Is there objection?

There was no objection.

Mr. FESS. Mr. Chairman, I understand that my friend from Pennsylvania [Mr. KELLY] says that he did not use any name. He certainly did, and it is in the RECORD, and that is why I rise. I should not have risen for any other reason, except that he mentioned the name of a distinguished man.

Mr. KELLY of Pennsylvania. Mr. Chairman, I want to say that I did not use the name of J. B. Foraker at first, but I did at last. To resolve all doubts, I say it now. The man I meant was ex-Senator J. B. Foraker, of Ohio.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. FESS. I can not yield. I will allow the membership of this House to look upon that statement according to its own sense of honor and judgment. I am not standing here supporting any man in Ohio for Senator. One of the candidates for Senator was a student of mine in the university for four years, and he was not the man named. I am not standing here defending a man for Senatorship, but I believe the fairness of this House on both sides will refuse to allow the name of a distinguished man to be brought in in the connection that it has been brought by my friend from Pennsylvania. The facts will come before the people at the proper time. The people probably will decide. The difference between myself and my friend is that he is living upon the evils that he can find in men and the imaginary ones that he can find in candidates. You never heard me speak against the personality of any candidate. I do not have to. I can build my political theory on the virtues of men and not upon the weaknesses of men. If you feel that your political career must depend upon your looking for the spots on the sun and not the good that is in the people, you can go that way, but I will not go with you. I propose to stand for the honor of men, and I certainly will refuse to stand here and listen to a friend maligned without a hearing. [Applause.]

Mr. KELLY of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

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

There was no objection.

Mr. KELLY of Pennsylvania. Mr. Chairman, the gentleman from Ohio asked me the question as to whom I referred in a general statement as one of those scourged out of public office, and I answered him. That was the reason the name was brought into the controversy. Now he takes opportunity to

make criticisms on my political theories and my attitude on public questions and on officeholders. He says that he looks for the honor and the bright spots, and that I seem to be looking for dishonor and sun spots. I say to you that the gentleman from Ohio, from his statements and vote to-day on the proposition of political committees, is attempting to cover up dishonor instead of looking for honor. [Applause.]

The gentleman is attempting to skin over the ulcers in the body politic; he is attempting to put sticking plaster over evils that are eating out the heart of the Nation in corruption, and criticizing anyone who dares to probe down and see the evils as they actually are. [Applause.]

I want to say, Mr. Chairman and gentlemen, that I, too, am willing to leave to the House to judge as to my attitude on this matter which is under consideration. The gentleman voted against having national committees put contributions and contributors out in the view of the people, and he did it logically and consistently, because he stands against publicity of the conduct of this Government. He does not believe in the people knowing what their representatives are doing, because they might otherwise lose something of the sacredness which he would have had public men of any kind. I do not believe in that kind of government. I believe that every public official should stand on his merits as a public servant. When he betrays the people and proves a traitor to their interests, when he puts his hand out for bribes, or when his hands are covered with the stain and grime of political corruption, I believe in making that fact known and letting a little sunlight have a chance to prove its wholesome influence. [Applause.]

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

Mr. DONOVAN. I call for the regular order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. Good].

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

Mr. RUCKER. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CLINE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 8428) to codify, revise, and amend the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Representative and Senator in the Congress of the United States, limiting the amount of campaign expenses, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. BURKE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURKE of South Dakota. How long am I entitled to recognition?

The SPEAKER. On what?

Mr. BURKE of South Dakota. I want to discuss this bill.

Mr. RUCKER. Mr. Speaker—

Mr. BURKE of South Dakota. Mr. Speaker, I have the floor. I addressed the Chair and was recognized.

The SPEAKER. The gentleman was recognized for a parliamentary inquiry.

Mr. BURKE of South Dakota. I rose and asked for recognition, was recognized, and then asked the Chair how long I was entitled to the floor.

The SPEAKER. The gentleman simply rose for a parliamentary inquiry.

Mr. BURKE of South Dakota. I think the Chair is mistaken.

The SPEAKER. That is the way the Chair recognized the gentleman.

Mr. RUCKER. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

Mr. BURKE of South Dakota. Mr. Speaker, there are a number of gentlemen around me who will sustain me in my statement.

The SPEAKER. In what?

Mr. BURKE of South Dakota. That I rose and was recognized.

The SPEAKER. The gentleman rose and was recognized to make a parliamentary inquiry.

Mr. BURKE of South Dakota. But the Chair is mistaken.

The SPEAKER. The Chair is not mistaken.  
Mr. BURKE of South Dakota. Very well. The Chair, of course, is supreme.

The SPEAKER. There can not be any two opinions about it. The gentleman rose and stated that he wanted to make a parliamentary inquiry.

Mr. BURKE of South Dakota. The Chair did not hear the gentleman from South Dakota, because the gentleman rose and was recognized by the Chair.

The SPEAKER. For what purpose?

Mr. BURKE of South Dakota. He stated he desired to address the Chair upon this bill.

The SPEAKER. He stated he desired to make a parliamentary inquiry.

Mr. GARNER. Mr. Speaker, the Speaker has the right to inquire for what purpose a gentleman addresses the Chair, and if the Chair did not even ask that question, he still has that prerogative.

Mr. BURKE of South Dakota. Mr. Speaker, I would like to submit a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURKE of South Dakota. Would I not be entitled to the floor in getting recognition from the Chair when no other gentleman was claiming the floor? The gentleman from Missouri [Mr. RUCKER] remained in his seat.

The SPEAKER. The Chair does not know anything about what the gentleman from Missouri was doing.

Mr. RUCKER. The gentleman from South Dakota does not know that either.

The SPEAKER. When a gentleman rises to make a parliamentary inquiry he is not recognized for debate.

Mr. BURKE of South Dakota. I did not rise to make a parliamentary inquiry.

The SPEAKER. That is what the gentleman said he rose for.

Mr. BURKE of South Dakota. No; the Chair is mistaken.

The SPEAKER. Then what did the gentleman get up for?

Mr. BURKE of South Dakota. I got up to demand recognition, and was given recognition.

The SPEAKER. Did not the gentleman from South Dakota make a parliamentary inquiry?

Mr. BURKE of South Dakota. After he got recognition he did, and asked the Chair for how long he was entitled to the floor.

The SPEAKER. If the gentleman is entitled to the floor at all, he is entitled to it for one hour.

Mr. BURKE of South Dakota. That is the point exactly.

Mr. GARNER. Mr. Speaker, the general procedure here—and it has been so ever since I have been a Member of the House—is for the Chair to recognize the gentleman in charge of the bill. Certainly the Speaker would not have recognized the gentleman from South Dakota [Mr. BURKE] to have taken the place of the gentleman from Missouri [Mr. RUCKER], he being in charge of the bill, and even if the Speaker did recognize the gentleman without stating for what purpose, in the order of procedure ever since I have been a Member of the House the proper person to recognize is the gentleman in charge of the bill. I do not think the gentleman from South Dakota [Mr. BURKE] ought to complain if the Chair insists that he has the right to recognize the gentleman in charge of the bill.

Mr. BURKE of South Dakota. The gentleman from Missouri was not seeking recognition.

Mr. RUCKER. Mr. Speaker, he was seeking recognition, and the gentleman from Ohio [Mr. GORDON] came here and spoke to him while the Speaker was stating the report of the Chairman of the Committee of the Whole.

Mr. UNDERWOOD. Mr. Speaker, I demand the regular order.

Mr. GARDNER. Mr. Speaker, I would like to be heard upon the point of order.

The SPEAKER. The Chair will hear the gentleman for a minute.

Mr. GARDNER. Mr. Speaker, the gentleman from South Dakota [Mr. BURKE] was entitled to recognition for debate for one hour, inasmuch as the previous question was not moved. The moment the Chair says "The gentleman from South Dakota," he is entitled to that one hour in debate. It is a question of the minutes, and the minutes as taken down by the reporter will decide whether the Chair did recognize the gentleman from South Dakota. The fact that after that he asked for how long he was entitled to the floor has nothing to do with the fact that he was entitled to the floor after he had been recognized in default of the gentleman from Missouri [Mr. RUCKER], that gentleman having forgotten to move the previous question.

Mr. RUCKER. Mr. Speaker, the gentleman from Massachusetts is entirely gratuitous in his remarks.

The SPEAKER. The Chair would like to ask the gentleman from Massachusetts a question. Suppose the gentleman from Massachusetts should rise and say, "Mr. Speaker, a parliamentary inquiry," and the Speaker should say, "The gentleman from Massachusetts—the gentleman will state it," does the gentleman claim that he is recognized for any other purpose except the parliamentary inquiry?

Mr. GARDNER. Certainly not, Mr. Speaker.

The SPEAKER. The Chair will ask the Reporter to produce the report of what did occur.

Mr. BURKE of South Dakota. Mr. Speaker, I do not wish to embarrass the Chair. I know the Chair desires and intends to be absolutely fair. I am quite willing to yield the floor and let the gentleman from Missouri move the previous question.

The SPEAKER. Does the gentleman propose, then, to claim the right to debate?

Mr. BURKE of South Dakota. Certainly not; but the gentleman sat in his seat, and the Speaker said, "Is a separate vote demanded on any amendment?"

The SPEAKER. The Chair desires to decide this question according to what is right. Here is a report of what occurred:

Mr. BURKE of South Dakota. Mr. Speaker, a parliamentary inquiry—

Mr. BURKE of South Dakota. But it occurred before that, Mr. Speaker.

The SPEAKER. This is all that has been handed to the Chair.

Mr. BURKE of South Dakota. Then the Reporter has not furnished the Chair with all of it. I do not wish to delay the House. I am perfectly willing to let the gentleman make his motion.

Mr. RUCKER. Mr. Speaker, I want to announce that the gentleman from Missouri is now upon his feet, and I hope the gentleman from South Dakota will take cognizance of that fact. I move the previous question on the bill and amendments to final passage.

Mr. BURKE of South Dakota. I am willing to yield the floor.

The SPEAKER. The Chair will ask the gentleman to withhold his motion for a moment, as he desires to decide this question according to the right of it.

Mr. RUCKER. At any rate, I understand the gentleman from South Dakota to yield the floor.

The SPEAKER. The Reporter says this is all there is to it:

Mr. BURKE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURKE of South Dakota. How long am I entitled to recognition?

The SPEAKER. On what?

Mr. BURKE of South Dakota. I want to discuss the bill.

And then the gentleman from Missouri [Mr. RUCKER] chipped in.

Mr. BURKE of South Dakota. Would I have asked the question, "How long am I entitled to recognition?" as a parliamentary inquiry if I had not already been recognized?

The SPEAKER. The Chair knows, but the Reporter says this is the beginning and end of it.

Mr. BURKE of South Dakota. The Reporter is wrong about it.

The SPEAKER. That may possibly be. The Chair was dead sure that they were wrong here the other day about a statement, and the Chair thinks so yet as far as that is concerned.

Mr. BURKE of South Dakota. I certainly would not rise to make a parliamentary inquiry to ascertain how long I was entitled to the floor before I got the floor. Now, the fact was that the Chair said, "Is a separate vote demanded upon any amendment?" The gentleman from Missouri [Mr. RUCKER] sat in his seat. No gentleman was seeking recognition. I rose, the Chair recognized me, and when I was recognized I submitted a parliamentary inquiry to know how long I was entitled to recognition in order to determine it beyond any question, and that is for one hour. The previous question had not been ordered.

The SPEAKER. The Chair will give the gentleman the benefit of the doubt, and he will recognize the gentleman for an hour.

Mr. BURKE of South Dakota. I thank the Speaker, and now I yield the floor to the gentleman from Missouri. [Applause.]

Mr. RUCKER. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Missouri moves the previous question on the bill and amendments to final passage. The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.









Mr. BUTLER. That is what I desire to do.

The SPEAKER. That is exactly what the gentleman is going to do, because the Chair is going to count the gentleman.

Mr. BRYAN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BRYAN. After a roll call, the RECORD shows the yeas so many, nays so many, and answering "present" so many. Now, the other day the Chair noted me as "present." Now, I understand that the gentleman from North Dakota [Mr. HELGESEN] will be recorded as answering "present."

The SPEAKER. No; that is not the way the gentleman should be recorded; and while the Speaker was not here on the occasion referred to by the gentleman from Washington [Mr. BRYAN], he is informed that the gentleman from Illinois [Mr. MANN] rose the next morning to correct the Journal and had it corrected, so that it showed that the gentleman from Washington [Mr. BRYAN] and the gentleman from New York [Mr. BROWN], whom the Speaker pro tempore counted, were noted by the Clerk as "present," and that is precisely what will happen in the case of these gentlemen now.

Mr. LEWIS of Maryland. Mr. Speaker, I desire to vote "present."

The SPEAKER. Was the gentleman in the Hall and listening when his name was called?

Mr. LEWIS of Maryland. No; but I desire to be recorded as "present."

The SPEAKER. The gentleman can not vote "present," but the Chair will have him noted as "present." The Clerk will note as present the gentleman from Maryland, Mr. LEWIS, and the gentleman from Oklahoma, Mr. MURRAY; also the gentleman from Iowa, Mr. HAUGEN.

Mr. MADDEN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. Is it not a violation of the rule for Members to gather about the Clerk's desk before the announcement of the vote is made?

The SPEAKER. The gentleman is absolutely correct.

Mr. MADDEN. Another parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. What is before the House?

The SPEAKER. Trying to get three more Members. [Laughter.]

Mr. RUCKER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Missouri moves that the House do now adjourn.

Mr. BRYAN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will suspend a minute. The Clerk will note as "present" the gentleman from North Dakota, Mr. HELGESEN, the gentleman from Pennsylvania, Mr. BUTLER, the gentleman from Maryland, Mr. LEWIS, the gentleman from Oklahoma, Mr. MURRAY, and the gentleman from Iowa, Mr. HAUGEN.

Now, the Chair will hear the gentleman from Washington.

Mr. BRYAN. If the motion of the gentleman from Missouri to adjourn carries, what becomes of this roll call? Must we have it all taken over again?

The SPEAKER. It will begin de novo in the morning.

Mr. BRYAN. If we defeat the motion to adjourn and get a few more Members, the roll call will stand?

The SPEAKER. The previous question has been ordered on this bill and all amendments thereto, and that makes it in order in the morning after the reading of the Journal, and this roll call will have to be gone over again.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. Pending a roll call, is it in order to make any other motion until the roll call is finished?

The SPEAKER. The Chair will announce the vote and then put the motion of the gentleman from Missouri.

Mr. RAKER. But we only lack two or three Members.

The SPEAKER. We lack three.

Mr. GARNER. The regular order.

Mr. BRYAN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. It does not take a quorum to adjourn.

Mr. BURKE of South Dakota. Mr. Speaker, I ask for a verification of the roll call. The vote is pretty close, I understand.

Mr. RUCKER. Mr. Speaker, I move that the House do now adjourn.

Mr. GARNER. The regular order.

The SPEAKER. The regular order is to announce the vote. The request of the gentleman from South Dakota is in order

after the Chair has announced the vote, if it is a close vote or anywhere in the neighborhood of close.

Mr. RAKER. Another parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman from California.

Mr. RAKER. I want to ask if Members who have just come in can be counted "present"?

The SPEAKER. They not only can be, but they will be.

Mr. RAKER. The gentleman from Maryland, Mr. LINTHICUM, has just come in.

Mr. LINTHICUM. I have been present here and voted on the roll call.

The SPEAKER. On this vote the yeas are 104, the nays are 102, present 5, and noted as present 5, making 216—not a quorum—and the motion of the gentleman from Missouri to adjourn is in order.

Mr. BURKE of South Dakota. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The Chair is wrong. The gentleman from South Dakota demanded a recapitulation of the vote.

Mr. GARNER. A point of order, Mr. Speaker. How can he demand a recapitulation of the vote when there is no quorum present and nothing is decided?

The SPEAKER. The gentleman makes that request to ascertain how they have voted and whether there is a quorum.

Mr. GARNER. The record shows that there is no quorum present.

Mr. BURKE of South Dakota. A verification of the vote might show that there was a quorum present.

The SPEAKER. The roll now shows that there are three lacking of a quorum.

Mr. BURKE of South Dakota. Suppose it does not lack any?

The SPEAKER. On the face of it it lacks three of being a quorum. Suppose the recapitulation develops that three Members are present in the House who have not been recorded; the Speaker can count them and in that way we will get a quorum.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. Was it permissible at that time, after the statement made by the Speaker, to ask a recapitulation of the vote?

The SPEAKER. The gentleman asked a recapitulation before the Speaker announced the vote.

Mr. RAKER. I kept a record of the vote—

The SPEAKER. The gentleman can not set up a private record as against the official record. The Chair thinks the gentleman from South Dakota is entirely within his rights.

Mr. GARDNER. Mr. Speaker, it is optional with the Speaker.

The SPEAKER. The present occupant of the chair contended when he was on the floor that if the vote were close or a tie—and he was contending that we ought to have a recapitulation when there was a majority of five one way or the other and there was a row about it—and the Chair contends now, or if a vote is reasonably close, within two or three or four or five or six, any gentleman has the right to demand a recapitulation.

Mr. RUCKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUCKER. Is it not always in order to move to adjourn?

The SPEAKER. Not always.

Mr. RUCKER. When a roll call is not being had?

The SPEAKER. But a roll call was being had.

Mr. RUCKER. But it had been concluded and the result was announced.

The SPEAKER. Oh, no; the result had not been announced.

Mr. RUCKER. The Speaker did announce the result.

The SPEAKER. Yes; but that was after the gentleman from Missouri had made his motion to adjourn.

Mr. RUCKER. I made it both before and after, if the Chair will pardon me.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. The gentleman from South Dakota [Mr. BURKE] has requested a recapitulation of this vote. Is it not now in order to move to adjourn?

The SPEAKER. The gentleman can not move to adjourn while a roll call is in process, and the demand for a recapitulation is a part of the roll call.

Mr. BURKE of South Dakota. Mr. Speaker, I want to say, in justice to my position, that I see Members in the House whom I do not think are recorded.

The SPEAKER. The gentleman does not have to give any explanation whatever. The Chair orders a recapitulation. The Clerk will recapitulate the vote.

The Clerk recapitulated the vote.



The SPEAKER. The question is on the passage of the bill with the amendment reported by the gentleman from Missouri [Mr. RUCKER].

Mr. THOMSON of Illinois. Mr. Speaker, let us have the amendment reported.

The SPEAKER. Without objection, it will be again reported. Mr. UNDERWOOD and Mr. GARRETT of Texas objected.

The SPEAKER. Objection is heard. The question is on the passage of the bill as amended by the amendment reported by the gentleman from Missouri [Mr. RUCKER].

The question was taken, and the Speaker announced that the eyes seemed to have it.

Mr. HOWARD. Division, Mr. Speaker.

The SPEAKER. The gentleman from Georgia demands a division. The Chair will count. [During the count.] The eyes are 146.

Mr. MADDEN. Mr. Speaker, is it in order now to make a parliamentary inquiry?

Mr. GARNER. The House is dividing.

The SPEAKER. You can not do it when the House is dividing.

Those opposed will now rise and stand until counted. [After counting.] Eleven gentlemen have arisen in the negative.

Mr. MADDEN. Mr. Speaker, may I make a parliamentary inquiry?

The SPEAKER. Wait until the result is announced. On this vote the yeas are 146 and the nays are 11.

Mr. HOWARD. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. BURKE of South Dakota. Mr. Speaker, I make the point of order that that is dilatory.

The SPEAKER. If the gentleman will withhold a moment, the gentleman from Illinois [Mr. MADDEN] wants to make a parliamentary inquiry.

Mr. MADDEN. My parliamentary inquiry, Mr. Speaker, was this: The House voted to instruct the Committee on the Election of President, Vice President, and Representatives in Congress to report the bill back with an amendment striking out certain language. The question I wanted to ascertain is whether or not the only thing before the House, instead of the passage of the bill, is the adoption of the amendment, and whether or not we voted for the amendment?

The SPEAKER. You voted for the amendment when you voted to recommit. The gentleman from Georgia [Mr. HOWARD] makes the point of order that there is no quorum present.

Mr. BURKE of South Dakota. I make the point of order that that is dilatory, there having been no business transacted since the roll call disclosed a quorum.

Mr. SAUNDERS. Mr. Speaker—

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

Mr. SAUNDERS. For the purpose of suggesting that that point is not well taken, because the vote itself shows that a quorum is not present, and the requirement of a quorum being a constitutional provision, the gentleman can not arraign a specific ascertainment by calling it dilatory.

The SPEAKER. Will the gentleman from Virginia please state that again?

Mr. SAUNDERS. The vote having been taken, and the vote itself having shown that there is not a quorum present, he can not make the point against it that it is dilatory.

The SPEAKER. The Chair does not think the motion is dilatory, although the point is made by the gentleman from Virginia that this vote—a stand-up vote—is decisive as to whether a quorum is present or not.

Mr. SAUNDERS. I say that the vote shows that a quorum is not present, and that repels the suggestion that the motion is dilatory.

The SPEAKER. Frequently gentlemen do not take the trouble to stand up. The point of no quorum is a constitutional right, and the Chair will count, and overrule the point that it is dilatory. [After counting.] One hundred and seventy-four gentlemen are present.

#### ADJOURNMENT.

Mr. RUCKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House adjourned until to-morrow, Thursday, July 9, 1914, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the Acting Secretary of

the Interior submitting estimates of two items for incorporation in the general deficiency bill to authorize the accounting officers of the Treasury to credit in the accounts of the chief disbursing clerk, Department of the Interior, the sums of \$150 and \$5.14, respectively (H. Doc. No. 1115); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Acting Secretary of Commerce submitting a draft of a provision for inclusion in the general deficiency bill to pay the salaries of certain employees transferred from the Bureau of Chemistry of the Department of Agriculture to the Bureau of Standards, Department of Commerce (H. Doc. No. 1116); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, submitting estimates of appropriations relative to the public building service, and recommending that the same be included in the general deficiency appropriation bill now pending (H. Doc. No. 1117); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 5575) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 933), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 5843) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 934), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 5207) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 935), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 5446) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 936), which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 17780) providing for the use of certain portions or spaces of ground within the national forests for recreation purposes; to the Committee on Agriculture.

By Mr. CANTOR: Joint resolution (H. J. Res. 297) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. ROGERS: Joint resolution (H. J. Res. 298) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DONOHUE: Concurrent resolution (H. Con. Res. 43) providing for participation by the Federal Government in the annual celebration of the birth of the Nation, on July 4 of each year, at Philadelphia, Pa.; to the Committee on Appropriations.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 17781) granting an increase of pension to John Ward; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 17782) granting an increase of pension to Henry Hoover; to the Committee on Invalid Pensions.

By Mr. DONOHUE: A bill (H. R. 17783) for the relief of Joseph W. Skill; to the Committee on Claims.



Also, petition of sundry citizens of Benton and Clackamas Counties, Oreg., protesting against national prohibition; to the Committee on Rules.

By Mr. HELGESEN: Petitions of 48 citizens of Bathgate, 36 citizens of Edmore, 46 citizens of Hamilton, 21 citizens of Heaton, 22 citizens of Neche, and 73 citizens of Northwood, and also telegrams representing the views of 300 citizens of Forest River, 300 citizens of Grafton, 400 citizens of Lisbon, and the Sunday schools of Tyner and Backoo, all in the State of North Dakota, urging the passage of the Hobson resolution; to the Committee on Rules.

By Mr. HULINGS: Petitions of P. N. Faller and C. W. Gearling, of Franklin, Pa., protesting against the Hobson resolution for national prohibition; to the Committee on Rules.

Also, petition of the Woman's Christian Temperance Union of Greenville, expressing the sentiment of 200 persons; the Presbyterian Church, Sugar Grove; the congregation of Grace Methodist Episcopal Church, of Warren, representing a membership of 550 and a constituency of 1,500, and presented by Charles Morse, chairman; the Trinity and the Grace Methodist Episcopal Churches, of Oil City; the Nickleville Christian Endeavor Society; the Methodist Episcopal Church of Clarington; and the Warren Science Club, all in the State of Pennsylvania, favoring national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Connecticut: Petition of various members of the First Baptist Church of Winsted, Conn., favoring the enactment of prohibition legislation; to the Committee on Rules.

By Mr. KIESS of Pennsylvania: Petitions from E. H. Mathern and others of Galeton, Pa., protesting against the passage of House joint resolution 168; to the Committee on Rules.

Also, petitions from sundry citizens of the fifteenth Pennsylvania district, urging the passage of the Hobson prohibition amendment; to the Committee on Rules.

By Mr. J. R. KNOWLAND: Petition of 222 residents of Oakland, Alameda, Berkeley, and San Francisco; 7 residents of Oakland, and the Central Labor Council of Oakland, all in the State of California, protesting against the passage of the prohibition constitutional amendment; to the Committee on Rules.

Also, 90 postals from residents of Pasadena, Oakland, Los Angeles, Greenfield, Winters, Fallbrook, Corona, Pinole, Porterville, El Cajon, Vallejo, and Long Beach, and 4 residents of Oakland, Berkeley, and San Leandro, all in the State of California, favoring national constitutional prohibition; to the Committee on Rules.

By Mr. KONOP: Petition of 41 citizens of Crandon, Wis., favoring national prohibition; to the Committee on Rules.

By Mr. LEWIS of Maryland: Petition of the Christian Endeavor Society of Salem Reformed Church of Frostburg and the Young People's Christian Endeavor Society of St. Paul's Church of Clearspring, all in the State of Maryland, for the passage of House joint resolution 168, to prohibit the sale of intoxicating liquors; to the Committee on Rules.

By Mr. McCLELLAN: Petition of D. J. Verney and 69 others of Walkkill; 38 members of the Presbyterian Church of Cochection; Rev. W. Leggett; Catherine Stearnald, of Chatham; Joseph B. Taylor, David D. Taylor, and 9 others, of Hurleyville; John L. Warner, of Middleburg; J. A. Johnston and 9 others, of Marlboro; the Second Reformed Church of Howe Cave; the Methodist Episcopal Sunday School of Hurleyville; the Woman's Christian Temperance Union of Kingston; the Christian Endeavorers of Claverack; the Methodist Episcopal Church of Kingston; the Reformed Church of Flatbush; W. S. Empleton, of Grahamsville; Harry E. Balley, of Central Bridge; 71 citizens of Canaan; the Ulster County Christian Endeavor Union; 50 young people's societies; 4 citizens of Ulster County; 38 citizens of Napanoch; D. S. Bowdish, of Sloansville; B. T. Evans and 3 others, of Hurley; Florence Taylor, of Hurleyville; and 47 citizens of Schoharie, all in the State of New York, favoring national prohibition; to the Committee on Rules.

Also, petition of Samuel Casser, of Woodbourne, N. Y., protesting against national prohibition; to the Committee on Rules.

Also, petition of various voters of Stone Ridge, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. MCGILLICUDDY: Memorial of the First Baptist Christian Endeavor Society of Livermore Falls, Me., favoring national prohibition; to the Committee on Rules.

By Mr. MERRITT: Petitions of Frank M. Labor, of Minerva; the Centenary Methodist Episcopal Church of Malone; the Christian Endeavor Society of Perin; sundry citizens of Chases Mills, Norwalk, Clintonville, North and West Bangor, Keeseville, and Saranac Lake, all in the State of New York, favoring national prohibition; to the Committee on Rules.

Also, petition of Thomas J. Doyle and others, of St. Lawrence County, N. Y., protesting against national prohibition; to the Committee on Rules.

By Mr. MOORE: Memorial of the Wissahickon (Pa.) Presbyterian Church, favoring national prohibition; to the Committee on Rules.

Also, memorial of the Pittsburgh (Pa.) Chamber of Commerce, the Manufacturers' Association of Philadelphia, and the H. L. Dixon Co., of Pittsburgh, all in the State of Pennsylvania, protesting against Clayton antitrust bill; to the Committee on the Judiciary.

Also, memorial of the Select and Common Councils of Philadelphia, Pa., favoring House bill 5139, for retirement of civil-service employees; to the Committee on Reform in the Civil Service.

Also, memorial of the Western Society of Engineers, protesting against passage of House bill 13457, relative to surveys, etc., by United States Geological Survey; to the Committee on Expenditures in the Interior Department.

By Mr. J. I. NOLAN: Telegram from the Friends Church of California, favoring the passage of prohibition constitutional amendment; to the Committee on Rules.

By Mr. O'LEARY: Petitions of the Christian Endeavor Society of Steinway Church, of Long Island City; F. G. McCann, of Richmond Hill; 79 citizens of Jamaica and Richmond Hill; the Richmond Hill Baptist Church; and Rev. Sidney H. Barrett, of Springfield Gardens, all of the State of New York, in favor of national prohibition; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petition of the Army Field Clerks' Association, relative to increase in pay for Army field clerks; to the Committee on Military Affairs.

Also, memorial of the Yearly Meeting of Friends for New England, at Vassalboro, Me., favoring national prohibition; to the Committee on Rules.

By Mr. PALMER: Memorial of the Jewelers' Guild of Philadelphia, Pa., favoring passage of Owen-Goeke bill, to eliminate time guaranties on gold-filled watchcases; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens of Monroe, Pa., favoring national prohibition; to the Committee on Rules.

Also, memorial of sundry citizens of Philadelphia, Pa., favoring passage of Bristow-Mondell suffrage resolution; to the Committee on the Judiciary.

By Mr. PATTEN of New York: Petitions of 23 citizens of New York City, against national prohibition; to the Committee on Rules.

By Mr. PAYNE: Petitions of sundry citizens of the thirty-sixth congressional district of New York, favoring national prohibition; to the Committee on Rules.

By Mr. PLUMLEY: Petition of sundry citizens of Bellows Falls, Vt., for the submission to Congress of the national prohibition amendment to the Constitution; to the Committee on Rules.

Also, petitions of 67 citizens of St. Johnsbury, Vt., for national constitutional prohibition amendment; to the Committee on Rules.

By Mr. PORTER: Petitions of sundry citizens of the twenty-ninth congressional district of Pennsylvania, protesting against House joint resolution 168 and Senate joint resolutions 88 and 56; to the Committee on Rules.

Also, petition of the post-office clerks of Pittsburgh, Pa., protesting against section 6 of House bill 12928; to the Committee on the Post Office and Post Roads.

Also, petitions of various organizations and societies and sundry citizens of the twenty-ninth congressional district of Pennsylvania, favoring national prohibition; to the Committee on Rules.

By Mr. REILLY of Wisconsin: Petitions of various churches of the city of Oshkosh, Wis., asking the passage of the Smith-Hughes bill proposing a new division in the United States Bureau of Education to be called the Federal motion-picture commission; to the Committee on Education.

By Mr. ROBERTS of Nevada: Petitions of P. B. Koterman, of Rochester; S. A. White, C. S. Reid, and 3 other citizens of Fallon; P. J. Holohan, Lawrence Cooke, and 3 other citizens of Tonopah; B. F. Miller, jr., J. C. Conway, John Howe, and 23 other citizens of Searchlight; A. H. Howe, Guy L. Millard, J. H. Dalton, and 10 other citizens of Goldfield; and Frank L. Johnston, L. L. Chapman, E. A. Whitmore, and 26 other citizens of Lovelock, all in the State of Nevada, protesting against the passage of House joint resolution 168 and Senate joint resolutions 88 and 50; to the Committee on Rules.

By Mr. SCULLY: Petitions of W. C. Budlong, William C. Nefe, Stephen Schurz, sr., William Cawry, Robert Pettit, Robert J. Dalton, John Frey, James Flynn, Joseph Mazza, John S.

Smith, and Charles Kries, all of Long Branch, N. J., against national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of Eatontown, Elizabeth, and Bayonne, all in the State of New Jersey, favoring national prohibition; to the Committee on Rules.

Also, petition of the Philadelphia (Pa.) Board of Trade, protesting against the clause in the sundry civil bill exempting labor, etc.; to the Committee on Appropriations.

By Mr. SMITH of Minnesota: Petitions of 708 residents, 87 members of Christian Endeavor Societies, and 575 citizens of Minneapolis; 130 citizens of Crystal Bay; and the Minnesota Total Abstinence Association, all in the State of Minnesota, favoring national prohibition; to the Committee on Rules.

By Mr. J. M. C. SMITH: Petitions of sundry citizens of Mosherville, 112 citizens of Bedford, 2 citizens of Battle Creek, and the Delton Congregation, the Methodist Episcopal and Baptist Churches of Bronson, all in the State of Michigan, favoring national prohibition; to the Committee on Rules.

By Mr. SPARKMAN: Petition of sundry citizens of Ruskin, Fla., and of Pinellas County, Fla., favoring national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of Sarasota, Fla., favoring the passage of the Smith-Hughes picture-censorship bill; to the Committee on Education.

By Mr. STEPHENS of California: Telegrams and letters from John S. Stubblefield, secretary of a mass meeting at Vermont Square, Los Angeles; J. H. Bathrick, secretary of a mass meeting at Gardena; Dr. A. J. Priester, secretary of the Hollywood Dry Association, and 11 others; the Christian Endeavor Society of the First Christian Church; A. F. N. Hambleton, chairman of the Annual Session Friends Church, of Pasadena; H. E. Sawyer, chairman of a meeting at East Santa Monica Methodist Episcopal Church, of Santa Monica; James W. Kramer, pastor, and 500 members of the Central Baptist Church; Leroy W. Van Velzer, Mrs. Ora Dodds, and 19 others, all of Los Angeles; Virgil H. Tucker, secretary, and 250 others of the First Methodist Episcopal Church of Alhambra; A. B. Embree, chairman of a mass meeting at Glendora, all in the State of California, all favoring national constitutional prohibition amendment; to the Committee on Rules.

Also, resolution of the Riverside County Medical Society, of Riverside, Cal., indorsing House bill 5139, providing for retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

Also, resolution of the Grand Army of the Republic, of San Diego, Cal., protesting against changing stars of American flag; to the Committee on the Judiciary.

Also, letter from W. P. Stephens, of Los Angeles, Cal., favoring House bill 13305, to prevent "cut rates"; to the Committee on Interstate and Foreign Commerce.

Also, letters from Herbert M. Trowbridge, of Los Angeles, Cal., and Mrs. Amy R. Torrence, of Hermosa Beach, Cal., protesting against "State medicine"; to the Committee on Education.

Also, letters from John Bultmann, John Holms, and W. E. Chase, all of Los Angeles, Cal., protesting against passage of Hobson-Sheppard prohibition amendment; to the Committee on Rules.

Also, letters from M. A. Newmark & Co., R. L. Craig & Co., of Los Angeles, Cal.; and Dodge, Sweeney & Co., J. H. Newbauer & Co., and the Chamber of Commerce, all of San Francisco, Cal., indorsing House bill 15986, to prohibit mailing of false financial statements; to the Committee on the Post Office and Post Roads.

By Mr. STEVENS of Minnesota: Resolution adopted by Mary Stafford Circle No. 77, of North Branch, Minn., protesting against any change in the American flag; to the Committee on the Judiciary.

By Mr. TUTTLE: Petitions of the Methodist Episcopal, Presbyterian, and Reformed Episcopal Churches, of New Providence Borough; the Christian Endeavor Society of the First Baptist Church of Plainfield; the Congregational Church of Christ of Westfield; and the Presbyterian Church of Westfield, all in the State of New Jersey, in favor of national prohibition; to the Committee on Rules.

By Mr. WEAVER: Petitions of Mrs. M. D. Tinsley and many other citizens of Alex; B. A. Thompson and many other citizens of Ninnekah; M. T. Allen and many other citizens of Rush Springs; G. P. Rice and many other citizens of Terral; and C. B. Hawpe and many other citizens of Waurika, all in the State of Oklahoma, in favor of national prohibition; to the Committee on Rules.

Also, petitions of John S. Bradley and 28 others, members of the Booster Christian Endeavor Society of the First Christian Church; L. L. Butts and 40 others, members of the Christian

Endeavor Society of the First Christian Church; and of Alice Miller and many other citizens, all of Oklahoma City, Okla., for passage of House joint resolution 168, proposing an amendment to the Constitution of the United States for nation-wide prohibition of the beverage traffic in intoxicating liquors; to the Committee on Rules.

## SENATE.

THURSDAY, July 9, 1914.

The Senate met at 11 o'clock a. m.

Rev. J. L. Kibler, D. D., of the city of Washington, offered the following prayer:

O Lord, we lift up our eyes unto the hills from whence cometh our help. Our help cometh from the Lord which made heaven and earth. We would not presume therefore upon our own strength. We realize our need and are conscious of our limitations. We realize our helplessness and are conscious of Thy power. May we enjoy the assurance of Thy favor to-day as we enter upon our duties. May we grasp Thy mighty hand and feel that all is well while Thou art leading. We ask it for Christ's sake. Amen.

The VICE PRESIDENT. The Secretary will read the Journal of the proceedings of the preceding session.

Mr. JONES. Mr. President, there are only two Senators present on the other side of the Chamber, and I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Gallinger	Page	Thomas
Brady	Johnson	Perkins	Thompson
Burton	Jones	Sheppard	Thornton
Camden	Kenyon	Shields	Townsend
Cañon	Kern	Simmons	Warren
Chamberlain	Lane	Smith, Ariz.	White
Chilton	McCumber	Smith, Ga.	Williams
Clapp	Martine, N. J.	Smith, Mich.	Works
Colt	Norris	Smoot	
Culberson	Oliver	Stone	
Cummins	Overman	Sutherland	

Mr. CHILTON. I wish to announce that the Senator from New Mexico [Mr. FALL] is necessarily absent. I will let this announcement stand for the day.

Mr. KERN. I wish to announce the unavoidable absence of the Senator from Mississippi [Mr. VARDAMAN] on official business, and also the unavoidable absence of the senior Senator from South Carolina [Mr. TILLMAN] and the junior Senator from South Carolina [Mr. SMITH], both of whom are paired.

Mr. SMITH of Georgia. Yesterday my colleague [Mr. WEST] was detained at his home by sickness. He is not here to-day, and I am sure he is still detained by sickness. I desire to make this announcement for the day.

I wish also to announce my pair with the senior Senator from Massachusetts [Mr. LODGE], which I transfer to my colleague the junior Senator from Georgia [Mr. WEST]. I will vote without further announcement of the transfer to-day.

Mr. SMOOT. I desire to announce the unavoidable absence of the junior Senator from Wisconsin [Mr. STEPHENSON], and also the unavoidable absence of the senior Senator from New York [Mr. ROOT].

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present.

Mr. GALLINGER. I was requested to announce that the Senator from Illinois [Mr. SHERMAN] is detained from the Senate on account of illness in his family.

The VICE PRESIDENT. The Secretary will call the roll of absent Senators.

The Secretary called the names of the absentees, and Mr. BORAH answered to his name when called.

Mr. SHAFROTH entered the Chamber and answered to his name.

Mr. SHAFROTH. I desire to announce that the Committee on Banking and Currency are, with the leave of the Senate, in session at the present time. There are therefore absent on business of the Senate the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Missouri [Mr. REED], the Senator from Ohio [Mr. POMERENE], the Senator from New Hampshire [Mr. HOLLIS], the Senator from Kansas [Mr. BRISTOW], the Senator from Massachusetts [Mr. WEEKS], the Senator from Minnesota [Mr. NELSON], and the Senator from South Dakota [Mr. CRAWFORD].

Mr. CLAPP. I desire to state that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably detained from the Chamber on account of illness. I will let this statement stand for all roll calls to-day.