

Newlands inland waterways commission bill; to the Committee on Rivers and Harbors.

By Mr. KIESS of Pennsylvania: Petition of the Men's Personal Workers League, of Jersey Shore, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of the fifteenth congressional district of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KINDEL: Petition of sundry citizens of Colorado, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Denver, Colo., favoring House bill 12928, relative to Sunday hours for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Denver, Colo., against Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. LANGHAM: Petition of various churches of Indiana and of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEVY: Petition of 257 citizens of the fourteenth congressional district of New York, against national prohibition; to the Committee on the Judiciary.

Also, petition of Camp No. 171, United Confederate Veterans, disclaiming authority for an appeal recently made by one of their number for subscriptions to defray expenses of veterans to the reunion at Jacksonville, Fla.; to the Committee on Military Affairs.

By Mr. LINDQUIST: Petitions of sundry citizens of the State of Michigan, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MCKENZIE: Petitions of sundry citizens of Apple River, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAGUIRE of Nebraska: Petitions of various members of the Deaconess Daughters' Class of the St. Paul's Methodist Episcopal Sunday School, of Lincoln, Nebr., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAPES: Petition of sundry citizens of Kent and Ottawa Counties, Mich., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Conklin, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MARTIN: Petitions of sundry citizens of Camp Crook, S. Dak., favoring passage of House bill 12928, retaining section 6, relative to Sunday work in post offices; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of Camp Crook, S. Dak., protesting against passage of the Sunday-observance bill; to the Committee on the District of Columbia.

By Mr. MERRITT: Petitions of 245 citizens of Plattsburg, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Ogdensburg, N. Y., favoring passage of House bill 12928, retaining section 6; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of Ogdensburg, N. Y., protesting against passage of Sunday-observance bill; to the Committee on the District of Columbia.

By Mr. METZ: Petition of sundry citizens of the tenth congressional district of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. MURRAY of Oklahoma: Petition of the Presbytery of Oklahoma and sundry citizens of Pryor and Verden, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. NEELY of West Virginia: Petition of sundry citizens of Cameron and Glen Falls, W. Va., favoring national prohibition; to the Committee on the Judiciary.

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

Also, petition of the Property Owners and Business Men's Association of Metropolitan New York, favoring Hamill retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of sundry citizens of New York, against national prohibition; to the Committee on the Judiciary.

Also, petition of the United Societies for Local Self-Government of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petition of J. G. Gabrieken and other citizens of Providence; 21 citizens of Portsmouth; 23 citizens of Jamestown; and Francis H. Spear, of Warren, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of District No. 44, International Association of Machinists, of Washington, D. C., favoring building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of the Belcher & Loomis Hardware Co., of Providence, R. I. and the Providence (R. I.) Retail Druggists' Association, favoring House bill 13305, to prevent discrimination in prices; to the Committee on Interstate and Foreign Commerce.

By Mr. SCULLY: Petitions of sundry citizens of Lakewood and Asbury Park, N. J., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the national executive board of the Workmen's Sick and Death Benefit Fund of the United States of America relative to strike conditions in Colorado; to the Committee on Rules.

Also, petition of the board of directors of the First National Bank of Perth Amboy, N. J., relative to selection of Federal reserve banks; to the Committee on Banking and Currency.

Also, petition of the International Photo-Engravers' Union of North America, favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Papers to accompany a bill (H. R. 14149) granting an increase of pension to Daniel F. Vickery; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: Petitions of the Victor Valley Mutual Water and Power Distributing Association and the Victor Valley and Riverside Chambers of Commerce, relative to irrigation of semiarid lands along the Los Angeles and Salt Lake Railroads; to the Committee on the Public Lands.

Also, petition of the Parent Teacher Association of the Loretto Street School, of Los Angeles, Cal., and the Riverside Chamber of Commerce, of Riverside, Cal., favoring passage of the child-labor bill; to the Committee on Labor.

By Mr. SUTHERLAND: Papers to accompany a bill (H. R. 16085) granting an increase of pension to George Thomas; to the Committee on Invalid Pensions.

By Mr. THOMSON of Illinois: Petition of 1,346 citizens of Chicago, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 1,061 citizens of Lake County, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TUTTLE: Petition of the German Branch of the Socialist Party of Dover, N. J., relative to strike conditions in Colorado; to the Committee on Rules.

By Mr. WALTERS: Petitions of sundry citizens of the State of Pennsylvania, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of various voting citizens of Johnstown, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WHITE: Petition of sundry citizens of Ohio, against national prohibition; to the Committee on the Judiciary.

Also, petitions of Rev. Ashwood and 25 others, of Cambridge; William Duez, of Cambridge, and 700 others, all of the State of Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILSON of New York: Petition of 120 citizens of the third congressional district of New York, against national prohibition; to the Committee on the Judiciary.

## SENATE.

TUESDAY, April 28, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, our sense of need compels us to prayer. It is not for need of power or of material resources, which Thou hast given to us with such great abundance, but, lest we come short of Thy glory, our need of divine help to meet the higher obligations of life. Throughout all the providences of God with us as individuals and as a Nation there runs the golden thread of a divine purpose. We need to know what God's purpose is. We come to Thee lifting our hearts that we may receive that wisdom which cometh from above that will enable us to meet the mighty responsibilities of the day. Thou hast taught us to overcome evil with good. Oh, give us hearts to understand the divine program and courage to commit ourselves and our Nation to God's great plan for us. For Christ's sake. 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 Speaker of the House had

signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

H. R. 122. An act authorizing the State of California to select public lands in lieu of certain lands granted to it in Imperial County, Cal., and for other purposes;

H. R. 5487. An act to authorize an additional appropriation for the erection of the United States appraisers' stores building at Milwaukee, Wis.;

H. R. 11269. 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; and

H. J. Res. 204. Joint resolution authorizing the Secretary of Agriculture to make exhibits at forest products expositions to be held in Chicago, Ill., and New York, N. Y.

#### PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a telegram in the nature of a petition of Local Division No. 482, Brotherhood of Locomotive Firemen and Enginemen, of White Fish, Mont., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. McLEAN. I have here a petition signed by several American societies in favor of an appropriation for the enforcement of the Federal law for the protection of migratory birds. The petition contains but four sentences, and I ask permission to have it read at the desk, with the accompanying signatures.

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

The Secretary read as follows:

NATIONAL ASSOCIATION OF AUDUBON SOCIETIES,  
174 Broadway, New York City, April 27, 1914.

To Hon. GEORGE P. McLEAN,  
United States Senate, Washington, D. C.

SIR: The undersigned authorized representatives of National and State associations for the protection of wild life request you to present to the Senate of the United States the following petition in behalf of the many thousand members of those associations and affiliated societies, representing practically every State in the Union:

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

"The undersigned citizens of the United States, being authorized and accredited representatives of National and State organizations for the preservation of birds, game, and wild life, hereby represent that their enormous combined membership is a unit in favor of the enforcement of the Federal law for the protection of migratory birds. We believe that the great majority of the people of the United States are in favor of Federal protection of such birds. We represent most respectfully that such a law can not be made fully effective until its enforcement is provided for, and we believe it is imperative that at least \$100,000 be included in the Agricultural appropriation bill for the purpose of enforcing this law. This will give but two Federal game protectors to each State. We believe that it is essential to have at least this number to cooperate with the State authorities to secure the proper enforcement of this statute, and we urge that the honorable Senate appropriate this sum, which was originally recommended in the estimates of the Department of Agriculture."

Boone and Crockett Club, George Bird Grinnell, Vice President, Camp Fire Club of America, Marshall McLean, Chairman Conservation Committee, New York Zoological Society, Madison Grant, Chairman; William T. Hornaday, Director Zoological Park, American Game Protective and Propagation Association, William S. Haskell, First Vice President, National Association of Audubon Societies, Frederick A. Lucas, Acting President; T. Gilbert Pearson, Secretary.

Mr. THOMPSON presented a petition of sundry citizens of Valley Falls, Kans., praying for the adoption of a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a petition of James R. Fulton Post, No. 257, Grand Army of the Republic, Department of Kansas, of Garden City, Kans., praying for the enactment of legislation granting a minimum pension of \$30 per month to persons honorably discharged who served 90 days or more in the Civil War, which was referred to the Committee on Pensions.

Mr. OLIVER presented memorials of sundry citizens of Pennsylvania, 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.

Mr. SHEPPARD. I send to the desk a telegram from the president of the Woman's Missionary Council of the Methodist Episcopal Church South, in the nature of a petition. I ask that it may be read.

There being no objection, the telegram was read, as follows:

FORT WORTH, TEX., April 16, 1914.

Hon. MORRIS SHEPPARD, Washington, D. C.:

In behalf of the Woman's Missionary Council of the Methodist Episcopal Church South, now in annual session in Fort Worth, Tex., representing a great host of women actively engaged in many forms of philanthropic and religious activity, we do hereby petition the Senate to pass the Smith-Hughes bill to establish a Federal censorship of motion pictures in interstate commerce and in the Territories and wherever else the jurisdiction of Congress extends. In view of our large con-

stituency, we request that this petition and resolution be printed in full in the CONGRESSIONAL RECORD.

MISS BELL H. BENNETT, President.  
MRS. FRANK SILER, Recording Secretary.

Mr. SHEPPARD. I send to the desk a telegram from the Litcher & Moore Lumber Co., of Orange, Tex., which I ask to have read.

There being no objection, the telegram was read, as follows:  
ORANGE, TEX., April 27, 1914.

Hon. MORRIS SHEPPARD,  
United States Senate, Washington, D. C.:

In yesterday's press we notice Pacific coast lumbermen are protesting against the repeal of free tolls through canal. If competitive shipping is to be a factor in the toll fight, would it not be advisable to hear from the Gulf? West coast of South America is as attractive to us as the Atlantic coast line is to Pacific coast lines; yet we believe President Wilson's attitude correct, and protest against Pacific coast interest bogging the issue.

THE LUTCHER & MOORE LUMBER CO.

Mr. SHEPPARD presented a memorial of sundry citizens of Naples, Tex., remonstrating against the enactment of legislation to compel 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.

He also presented a petition of sundry citizens of Naples, Tex., praying for the enactment of legislation providing for compensatory time for Sunday services of employees of the Post Office Department, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the congregation of the Twenty-third Avenue Baptist Church, of Oakland, Cal., and a petition of sundry citizens of Oakland, Cal., 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.

He also presented the memorial of John Harris, of Choice, Tex., remonstrating against 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 a petition of the Trades Council of Austin, Tex., praying for the enactment of legislation to increase the salaries of compositors and bookbinders and bookbinder machine operators in the Government Printing Office, which was referred to the Committee on Printing.

Mr. MARTINE of New Jersey. I present a petition signed by a number of citizens of Pemberton, N. J., which I ask may be printed in the RECORD and referred to the Committee on the Judiciary.

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

We, the undersigned, earnestly petition for the passage by the United States Congress of the joint resolution introduced in the House of Representatives December 10, 1913, by Congressman RICHMOND P. HOBSON and on the same day introduced in the Senate by Senator MORRIS SHEPPARD, providing for the prohibition of the sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof.

REV. A. B. CARLIN  
(And others).

PEMBERTON, N. J.

Mr. LODGE. I send to the desk a resolution adopted by the survivors of the Old Sixth Massachusetts Regiment. It is brief, and I ask that it may be printed in the RECORD.

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

MEMORIAL HALL,  
Lowell, Mass., April 20, 1914.

The survivors of the Old Sixth Regiment, assembled on the fifty-third anniversary of the march of the regiment through Baltimore, April 19, 1861, hereby pledge our continued loyalty and support to the Government and offer our services for any duty we are able to perform.

Resolved, That a copy of the offer be sent to the President of the United States and to our Congressmen from Massachusetts.

EDWIN F. SPOFFORD,  
Secretary Old Sixth Regiment Infantry Association.

Mr. O'GORMAN presented resolutions adopted by the New York Board of Trade and Transportation, favoring the enactment of legislation to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work, which were ordered to lie on the table.

Mr. POINDEXTER presented a memorial of the Pacific Coast Loggers' Association, of Hoquiam, Wash., remonstrating against the repeal of the exemption clause of the Panama Canal act, which was referred to the Committee on Interoceanic Canals.

Mr. WORKS presented a memorial of the Loggers' Association of Oregon and Washington, remonstrating against the repeal of the exemption clause of the Panama Canal act, which was referred to the Committee on Interoceanic Canals.



Mr. WARREN presented a petition of Local Union No. 2055, United Mine Workers of America, of Acme, Wyo., and a petition of Local Union No. 2335, United Mine Workers of America, of Hanna, Wyo., praying for Federal protection in the mining districts of Colorado, which were referred to the Committee on Education and Labor.

Mr. KERN presented petitions of sundry citizens of Seymore, Ind., praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Terre Haute, Ind., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. CRAWFORD presented petitions of sundry citizens of Elk Point, Faulkton, and Harding, all in the State of South Dakota, 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. McLEAN presented a memorial of Richard E. Holcomb Camp, No. 38, Sons of Veterans, of New Canaan, Conn., remonstrating against any change in the American flag, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Bridgeport, Conn., remonstrating against 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. PAGE presented a petition of the congregation of the Methodist Church of Pittsford, 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. WEEKS presented resolutions adopted by the City Council of Cambridge, Mass., favoring the enactment of legislation to provide for the retirement of superannuated civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

Mr. SHIVELY presented a petition of 57 citizens of Huntingburg, Ind., and a petition of the congregation of the West Creighton Church of Christ, of Fort Wayne, Ind., praying for national prohibition, which were referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. OVERMAN, from the Committee on Claims, to which was referred the bill (S. 2359) for the relief of Rittenhouse Moore, reported it without amendment and submitted a report (No. 455) thereon.

Mr. MARTIN of Virginia, from the Committee on Claims, to which was referred the bill (H. R. 2407) for the relief of the Pennsylvania Engineering Co., of the city of Philadelphia, reported it without amendment.

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (H. R. 13920) 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. 456) thereon.

#### SOUTHERN COALING STATION FOR NAVY.

Mr. TILLMAN. From the Committee on Naval Affairs, I report back favorably Senate resolution 291 with a substitute, which I ask to have read.

The VICE PRESIDENT. The proposed substitute will be read.

The SECRETARY. The committee reports to strike out all the text of the resolution as referred to it and in lieu to insert:

Whereas in view of the early completion of the Isthmian Canal and of its importance to the United States Navy and the national defense generally, and to the development of trade with Central and South American countries, the establishment of adequate coal-supplying facilities south of Cape Hatteras is deemed imperative; and

Whereas the usefulness and efficiency of any harbor as a coaling station must depend upon the facilities (first) of the coal producers for reaching it and (second) of the coal carriers in the matter of assembling the product at said port, including coal docks and other facilities for loading and handling, which should be accessible to all shippers and carriers alike on the same terms and conditions; and

Whereas it appears from numerous complaints now before the Interstate Commerce Commission, as well as from other sources, that the power and influence of the so-called Coal Trust is being persistently used through the management of the railroads reaching south Atlantic ports to prevent the free movement of coal not belonging to said Coal Trust, and it is alleged that practically all of such roads are actually dominated by the same financial interests that control the great coal combines finding outlet chiefly through New York Harbor, Philadelphia, and the Chesapeake Bay ports: Now, therefore, be it

Resolved, That the Committee on Naval Affairs be, and it is hereby, authorized and instructed to investigate the natural and strategic

advantages for naval purposes of ports south of Hatteras as compared with Norfolk and other Chesapeake Bay ports as a permanent point for coal distribution, and included and embraced in the scope of said investigation the said committee is further authorized and instructed to investigate into the character and proximity of the coal supply, and the rates obtainable on coal from the coal fields near by; and the committee is further instructed to ascertain, as far as it is practicable—

First, What quantity of bituminous coal is consumed or used at Charleston, Savannah, Brunswick, Fernandina, and Jacksonville, and in their vicinities, and what proportion of this coal is supplied from mines located on the Pennsylvania Railroad system, including the Baltimore & Ohio, Norfolk & Western, and Chesapeake & Ohio, and what proportion is supplied by mines on the Southern Railway.

Second, Whether the United States Navy, including the naval stations, now pays a higher freight rate for coal supply at any or all Atlantic seaports than is charged to commercial ships for bunkering or for coastwise distribution; and whether all coal for naval supply, at the Atlantic seaports, is not supplied by the so-called Coal Trust; that is, by the mines that have a common ownership or control with the coal carriers; and whether present conditions prevent competitive bidding for the United States Navy coal supply, or any part thereof, by independent coal operators.

Third, The mileage from mine groups located on the Southern Railway in Virginia, Kentucky, Tennessee, Georgia, and Alabama to Wilmington, Charleston, Savannah, Brunswick, Fernandina, and Jacksonville; and the mileage to these same ports, the way the coal is moved from the mines on the Pennsylvania Railroad system and on the Baltimore & Ohio, Norfolk & Western, and Chesapeake & Ohio Railroads and all connecting lines in West Virginia; and in all cases show the freight rates on coals to the cities named, both by rail and rail and water; and where two or more carriers participate, ascertain the proportion of the rate (or service charge) each receives; and also compare these rates with those at seaport towns and cities from Norfolk to New York for local use, for tidewater shipment, and for naval use.

Fourth, Why the Southern Railway has built no wharves or made no provision for handling tidewater coal at any of the South Atlantic ports, and whether the riparian rights and water frontage of South Atlantic harbors is not now being bought up by the parties in the interest of the Coal Trust, while the Southern Railway is taking no active steps to build for itself an independent outlet.

Fifth, Whether trustees for the stockholders and members of the board of directors of the Southern Railway are financially interested in coal-mining industries on the Pennsylvania Railroad system, the Baltimore & Ohio, the Norfolk & Western, or the Chesapeake & Ohio, and to what extent; and whether they, or any of them, are financially interested in any coal-mining industries tributary to any of said railroads. And if found to be interested, ascertain whether such mines have been allowed preference or advantages not allowed to all other shippers (shown by cases already decided by the Interstate Commerce Commission or State commissions). And in all coal-mining operations tributary to the Southern Railway in which any director of the Southern Railway or director of any railroad controlled by it, or allied with the Southern Railway, is financially interested, ascertain the division of through rates with other railroads, and in all cases where a coal operation tributary to the Southern Railway controls a local railroad, or when such local railroad is controlled in common with a coal operation, for assembling and distributing its own coal, ascertain just what proportion of rates it receives, if any, from the carriers, or what compensation other than a division of the rates it may receive.

Sixth, Whether the rate making for the Southern Railway, or other southern carriers of coal, is dominated by the Pennsylvania Railroad or Norfolk & Western; or whether the freight rates of the Southern Railway and any of the other southern coal carriers are made and fixed and maintained by the traffic men of the Southern Railway and other southern carriers; or whether the Pennsylvania Railroad, the Norfolk & Western Railway, the Baltimore & Ohio, and Chesapeake & Ohio exercise any influence either through a rate-making or traffic association or otherwise in the matter of making the rates for the Southern Railway and other southern carriers.

Seventh, Whether or not there is any discrimination now existing in favor of any one port on the Atlantic seaboard as against another port, and, if so, in what does such discrimination consist; and whether or not any coal trust or combination of railroads and coal companies control the coal tonnage to any port or ports, and, if so, how; and whether or not the coal supply of West Virginia, Virginia, Pennsylvania, Tennessee, and Kentucky flows naturally and without unnecessary obstruction to their respective natural ports upon the Atlantic seaboard; and whether or not there is any discrimination in rates against any coal operators.

Eighth, The coal rates to 30 or more representative cities on the Southern Railway in Virginia, North Carolina, South Carolina, Georgia, and Florida, and compare these rates with the rates enjoyed by the cities of relative importance and location, with regard to mines, in Pennsylvania, Ohio, Indiana, and Michigan on the Pennsylvania Railroad system, including the cities whose rates are compared in the letter read into the CONGRESSIONAL RECORD by Senator TILLMAN on April 8.

Ninth, What actual ownership each director of the Southern Railway Co. has in that company, and what ownership, if any, is held in it by the individuals composing the trustees for the stockholders.

Said Committee on Naval Affairs is authorized to sit during the sessions of the Senate and during any recess of Congress, and its hearings shall be open to the public, and it is authorized and empowered to employ counsel, coal experts, railroad-rate experts, and such other clerical and stenographic and expert assistants as it may deem necessary. Said committee shall have power to compel witnesses to testify, to send for persons and papers, to administer oaths to witnesses, and do anything necessary to arrive at all the facts.

The expenses incident to the investigation herein authorized not to exceed \$10,000, shall be paid out of the contingent fund of the Senate upon vouchers signed by the chairman of the Committee on Naval Affairs and approved by the Committee to Audit and Control the Contingent Expenses of the Senate. The said Committee on Naval Affairs may, in its discretion, conduct this investigation by a subcommittee of not less than five members, to be appointed by the chairman, and shall make its report as soon as possible.

Mr. TILLMAN. Mr. President, in order that the Senate may understand the scope and purpose of this proposed investigation, I take the liberty to say that I consider it as important as anything we have before us at this time—I mean a merely domestic matter relating to our internal affairs.

I published in the RECORD of April 8 a letter from Mr. B. L. Dulaney, of Bristol, Tenn. I also published in the RECORD of April 20 a letter from Mr. Fairfax Harrison, president of the Southern Railway, contradicting Mr. Dulaney's statements of fact and asking for an investigation before the Naval Committee to be promptly and thoroughly made. The fight is in the interest of the Navy and naval stations and for the consumers of coal in the South Atlantic States, and for the producers of coal in the Appalachian fields, involving mines in West Virginia, Virginia, Kentucky, and Tennessee, against the alleged Coal Trust which is dominated and is run in the interests of the Pennsylvania Railroad system and the mines which use that system and its tributaries in order to reach the markets. The owners of the coal mines not in the Coal Trust are making little or no money because of discrimination and favoritism on the part of the railroads. The Southern States are being milked systematically to enrich Morgan & Co., George F. Baker, and their associates, living in New York mainly. Southern industries are languishing and being put to undue expense because of the high price of coal and other discrimination.

I was talking with a friend last week in South Carolina, who is president of three cotton mills, and he told me that coal cost them at the mines around \$1 per ton, and the miners could make money at that; that the cost of transportation was anywhere from \$1.75 to \$2.50. This is due to the fact that the Southern Railway, as is alleged, is controlled by Morgan & Co. and associates, who use and abuse it in the interest of their greater investments in coal mines on the Pennsylvania System.

There can be no just reason why the manufacturers in Georgia, South Carolina, North Carolina, Florida, and Virginia should be discriminated against and their industries throttled or made to bear unjust burdens as compared with their competitors in other States.

Another thing: This Coal Trust, so called, by some arrangement which we seek to find out, prevents the shipment of coal from West Virginia and the territory I have outlined to New York or any point south of it. The city of Washington itself is prevented from getting coal from this field on account of the Pennsylvania's dominating attitude toward the other coal roads, viz, the Southern Railway, the Chesapeake & Ohio Railroad, and the Norfolk & Western Railway.

I am told it costs 67 cents a ton to get coal across the bridge here from Alexandria, 7 miles, if it comes from the mines on the Southern Railway, while coal from the mines on the Norfolk & Western Railway shipped over the Southern Railway, comes into Washington at only 20 cents a ton higher than the rate to Alexandria.

I am told that the people of the South Atlantic States are sending several millions of dollars to the coal fields of the Pennsylvania System to pay for fuel and for its transportation, which ought to go to the Southern Railway and to the mines on the Southern Railway. I am no champion of the Southern Railway's interests, but I do hate to see a fine property like that robbed of its just rights by its trustees. The relation of the trustees to the property in trust is a sacred one, and I want to call on Mr. George F. Baker and his associates in the trusteeship to give an account of their stewardship of the Southern Railway. Besides the people of my State are directly interested in getting cheap coal for fuel, both for consumption in their homes and to run their factories with; and as the Southern Railway penetrates the coal fields, it ought to serve our people by bringing us cheap coal; but it is not allowed to do so, because it is not managed for the interests of the stockholders.

If coal is shipped to Norfolk, it can not go to New York at all or to any intermediate port or point. There is no free trade in coal within the area embracing the States of New York, Pennsylvania, New Jersey, Delaware, and Maryland, nor in the South Atlantic States, and the Navy and naval stations on the Atlantic coast are completely at the mercy of the Coal Trust, both as to the supply and as to the price of their coal. Therefore I sincerely trust the Senate will pass the resolution authorizing an investigation; and for that reason I ask for its prompt consideration.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

#### BILLS INTRODUCED.

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

By Mr. CHAMBERLAIN:

A bill (S. 5418) to provide for certain changes and additions to the public building at Salem, Oreg.; to the Committee on Public Buildings and Grounds.

By Mr. STERLING:

A bill (S. 5419) granting an increase of pension to John Flynn (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 5420) granting an increase of pension to Pliny H. Barnes (with accompanying papers); to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 5421) granting an increase of pension to Mary A. Flynn (with accompanying papers); to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 5422) granting an increase of pension to Abraham J. Yeomans; and

A bill (S. 5423) granting an increase of pension to Nancy A. Stanley (with accompanying papers); to the Committee on Pensions.

#### INDIANS IN NORTH CAROLINA.

Mr. SIMMONS submitted the following resolution (S. Res. 344), which was read and, with the accompanying papers, referred to the Committee on Indian Affairs:

*Resolved*, That the Secretary of the Interior be, and is hereby, requested to make an investigation of the Indians of Robeson and adjoining counties of North Carolina, recently declared by the Legislature of North Carolina to be Cherokees, and formerly known as Croatans, and report to Congress whether or not they have received any lands, whether there are any moneys due them from the Government, their present condition, their educational facilities, and such other facts as would enable Congress to determine whether the Government is obligated to make suitable provision for them.

#### REVENUES OF RAIL CARRIERS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, being Senate resolution 343, which was submitted on yesterday by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. LA FOLLETTE. Mr. President, I do not wish to take up the time of the Senate to discuss the resolution. I do not believe any discussion will be necessary. I therefore ask for the present consideration and adoption of the resolution.

Mr. NEWLANDS. Mr. President, I will state that I have consulted the members of the Interstate Commerce Committee on the floor, and none of them has any objection to the present consideration of the resolution without a reference to the committee.

The VICE PRESIDENT. The resolution was read on yesterday. The question is on agreeing to the resolution.

Mr. CLARKE of Arkansas. I was probably absent from the Chamber on yesterday when the resolution was read, and, if it will not consume too much time, I should like to have it read.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read Senate resolution 343, submitted by Mr. LA FOLLETTE on yesterday, as follows:

*Resolved*, That the Interstate Commerce Commission be, and it is hereby, requested to transmit to the Senate of the United States all anonymous letters and communications and all written or printed letters and communications received with signatures thereto, and all circulars, clippings, newspaper or magazine articles, marked or otherwise, received by said commission or member thereof which were manifestly designed to influence the action of said commission in making or refraining from making any ruling, conclusion, finding, recommendation, report, or order in the determination of the case known as Docket No. 5860, entitled in Revenues of Rail Carriers in Official Classification Territory, and in the case known as Investigation and Suspension Docket No. 333, entitled Rate Increases in Official Classification Territory, now pending before said commission, excepting such letters, communications, briefs, records, and other matters as have been received by said commission or any member thereof, under the rules and regulations of the commission governing its proceedings in the orderly administration of the interstate-commerce law and the acts amendatory thereof, from the officials, employees, and attorneys of the railroads parties to such proceedings, the attorneys, investigators, and employees of the commission engaged in investigating and preparing said cases, and from the shippers and associations of shippers, individuals, and attorneys who appear in the proceedings as protestants.

The Senate proceeded to consider the resolution.

Mr. LA FOLLETTE. I desire to modify the resolution in line 7, page 1, after the word "or" and before the word "member," by inserting the word "any," so that the line will read "received by said commission or any member thereof."

The VICE PRESIDENT. The question is on the adoption of the resolution as modified.

The resolution as modified was agreed to.

#### THE INTERSTATE COMMERCE COMMISSION.

Mr. LA FOLLETTE. In this connection, if I may be permitted, I wish to give notice that on Thursday morning, after the routine morning business, and not to interfere with other business of the Senate, I shall address the Senate upon Senate



bill 5127, which I introduced some time ago and asked to have lie on the table. It is a bill making it an offense to transmit communications to the Interstate Commerce Commission with the intention of influencing their action upon cases pending before them, excepting such communications as they receive under the rules and regulations which they prescribe in the ordinary conduct of the business of the commission under the law.

Mr. LEWIS. Mr. President, may I ask the Senator from Wisconsin, if I may be permitted, if the Senator's resolution as tendered now, or if the remarks which he proposes to make, will comprehend information as to the people, their names, and addresses, who have been influencing or seeking to influence the commission in the appointment of lawyers and special examiners in connection with the matter of the physical valuation of the railroads?

Mr. LA FOLLETTE. No, Mr. President; the resolution which I have submitted to the Senate, and which the Senate has acted upon, as well as the remarks which I shall submit, are limited entirely to what has taken place regarding what is known as the advance rate cases now pending before the Interstate Commerce Commission.

Mr. LEWIS. I only desire to say that I did not refer to Senators or Representatives; that is their privilege; but I am interested in knowing who they are who have been effective in having a certain class of men named as attorneys and examiners in that department touching the physical valuation of the railroads for the Interstate Commerce Commission. That is why I made the inquiry.

#### PANAMA CANAL TOLLS.

Mr. NORRIS. I desire to give notice that on Friday next, immediately after the routine morning business, I shall address the Senate upon the economic aspects and the arbitration of the Panama Canal tolls dispute.

#### RESERVATION OF PUBLIC LANDS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 657) to authorize the reservation of public lands for country parks and community centers within reclamation projects in the State of Montana, and for other purposes.

Mr. SMOOT. I should like to ask the Senator who has the bill in charge if he will not let the conference report go over to-day and have it printed, so that we may see just what it is?

The VICE PRESIDENT. It is not a conference report. It is a message from the House of Representatives showing certain amendments to a Senate bill.

Mr. SMOOT. I understood the Senator had presented it as a conference report.

Mr. WALSH. Mr. President, I desire to accommodate the Senator in this matter as much as I can. I will say to the Senator from Utah that the principal amendment proposed by the House is the one to which I called his attention the other day. It extends the operation of the act to all of the States within which are reclamation projects, the original purpose having been to confine it in its operation to the State of Montana. It gives the Secretary of the Interior the right to set aside for parks and community purposes a limited area in any reclamation project. I myself think the amendment ought to be adopted; I believe it is a meritorious provision. I understood the Senator, however, to believe otherwise, and that he would like to have it restricted to Montana. If he perseveres in that purpose, I will move that the Senate disagree to the amendments of the House, request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and that the conferees on the part of the Senate be appointed by the Chair.

Mr. SMOOT. That will be perfectly satisfactory.

The VICE PRESIDENT. The question is on the motion of the Senator from Montana that the Senate disagree to the amendments made by the House of Representatives, request a conference with the House on the disagreeing votes of the two Houses, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. PITTMAN, Mr. SMITH of Arizona, and Mr. SMOOT conferees on the part of the Senate.

#### POSTAL SAVINGS BANK FUNDS.

The VICE PRESIDENT. Morning business is closed.

Mr. BRYAN. I ask unanimous consent to proceed to the consideration of Calendar No. 269, being House bill 7967.

The VICE PRESIDENT. Is there objection?

Mr. WALSH. Mr. President—

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Montana?

Mr. BRYAN. Certainly.

Mr. WALSH. I desire to inquire of the Chair what the parliamentary status would be if this bill should now be taken up for consideration? I make the inquiry because I have given notice that, upon the conclusion of the unfinished business, I shall ask the Senate to proceed with the consideration of Senate bill 4405.

The VICE PRESIDENT. If the bill be taken up, the parliamentary situation would be that it would run until 2 o'clock, at which time it would be the duty of the Chair to lay before the Senate the unfinished business.

Mr. WALSH. Would the motion of which I gave notice then be in order at the conclusion of the unfinished business?

The VICE PRESIDENT. A motion to take up a bill is always in order after 1 o'clock.

Mr. WALSH. Then I have no objection.

Mr. SMOOT. Mr. President, will the Senator make his request for unanimous consent, so that we will begin at Order of Business 269? Then, if we get through with the bill before 2 o'clock, we can proceed with the calendar from that point on.

Mr. BRYAN. I have no objection to that modification, Mr. President.

The VICE PRESIDENT. Is there any objection to beginning with the calendar at Order of Business 269, the point where the Senate left off on yesterday?

Mr. GORE. Mr. President, I should like to ask the Senator from Florida if he has any idea of being able to finish the consideration of the bill to-day?

Mr. BRYAN. It is very difficult to answer that question. I hope to be able to do so.

Mr. GORE. I have been deferring the consideration of the Agricultural appropriation bill for several days; but I wish to state now that at the first opportunity—and I will make an opportunity as soon as possible—I intend to ask to bring up that bill and get it out of the way.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Florida? The Chair hears none.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7967) to amend the act approved June 25, 1910, authorizing a postal savings system.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER], which will be stated.

The SECRETARY. It is proposed to amend the committee amendment, on page 1, line 9, by striking out "\$2,000" where it appears and in lieu thereof inserting "\$1,000," so that, if amended, it will read: "but the balance to the credit of any person, exclusive of accumulated interest, shall not exceed \$1,000."

Mr. HITCHCOCK. Mr. President, I have not heard any effective argument for permitting the total amount of the depositor's account in a postal savings bank to reach as high a figure as \$2,000.

In the first place, while the present limit is \$500, the average account in the postal savings banks at the present time is only \$102. In the second place, there is no country in the world that permits depositors in postal savings banks to use them for investment purposes.

It has been universally conceded that postal savings banks should be used only as the kindergarten for savings accounts; that they should be used to encourage people of very small means to make their initial deposits and accumulate in a small way the money which they may be afraid to deposit with private banks, or even with mutual savings banks.

Those were the considerations which induced the Congress, when the postal savings bank bill was passed, to limit the accounts to \$500; and no experience since that time has given any reason why that limit should be made as great as \$2,000. I shall vote for the amendment offered by the Senator from New Hampshire to limit the amount to \$1,000; but I believe that is going the extreme limit of wisdom and safety.

Mr. President, let me point out what would be a danger not yet referred to if this limit is raised, as is proposed in the House bill. It would encourage runs on savings banks. A few weeks ago we had the spectacle in New York City of a dangerous run upon one of the strongest savings banks in the United States, a bank which had existed through many panics, and which was recognized to be one of the safest savings institutions in the United States, and perhaps in the world; a bank which, I believe, had total savings accounts approximating \$100,000,000. Yet thousands of people besieged that bank and withdrew their accounts day after day for nearly a week.

Suppose during that time the proposed amendment had been in effect, and depositors had known that they could take out \$2,000 from that bank and deposit it with the post office in New York City. The inevitable result would have been to encourage the run upon that bank, because one of the deterring influences upon such an occasion has been that the depositor has not known where to find a safe place for his money. One of the reasons why that run was finally stopped was that the panic-stricken people finally realized that their money was safer in that bank than it would be if they withdrew it and took it elsewhere, and the result was that the panic finally subsided and the run ceased. If, however, you make it possible for depositors to place as much as \$2,000 in a postal savings bank at one time, or possibly even \$1,000, every run that begins upon a savings bank will be stimulated, and timid people will take out their money and possibly wreck a perfectly sound savings bank by temporarily placing their money in a postal savings bank.

Mr. President, another danger has been already pointed out here—that if you permit postal savings banks accounts to go past the kindergarten stage of legitimate savings accounts and reach the condition of being investments, you practically give an invitation to people to withdraw their money in large amounts from accounts where it is accessible to their creditors. You practically enlarge to \$2,000 the statutes of States which now give exemptions to the extent of a few hundred dollars; and that is not all. It has been, I understand, developed under the present postal savings bank law, even where the amount is limited to \$500, that it has been used for tax-dodging purposes. If we permit the limit of savings accounts with the Post Office Department to reach \$2,000, we practically afford an almost unlimited opportunity for those people to dodge taxes to a greater extent than now. If this bill is passed, you will have the spectacle of money being withdrawn from ordinary banks just before the time arrives when the taxes are levied, or when they are assessed, temporarily placed in the Post Office Department, and then withdrawn from the Post Office Department and placed back in the banks for use for ordinary purposes after the tax period has elapsed.

In other words, Mr. President, the proposed enlargement of the limit opens the door to a number of evils which will not exist if our Postal Savings Bank System is kept where it was originally placed and where every nation of the world places it, as a kindergarten of savings-bank accounts.

Mr. President, it was a difficult matter to induce the Congress to enter upon the Postal Savings Bank System. I was an enthusiastic advocate of that system. I believe it is highly valuable under proper limitations, but I think it is the first step toward destroying the Postal Savings Bank System to enlarge it to a point where the limit of the postal savings bank accounts passes the legitimate uses of savings-bank business.

I am for the amendment which the Senator from New Hampshire offers, because it places the limit at a lower point than it is placed in the bill supported by the Senator from Florida; but I believe it will be better still to leave the limit at \$500, as it is now, particularly in view of the fact that the present average account is only \$102, particularly in view of the fact that the average of savings-bank accounts in other countries is less than \$102 and particularly in view of the fact that a provision is made in the present law by which those having larger amounts of money can invest them in Government bonds carrying 2½ per cent interest.

Mr. GORE. Mr. President—

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Oklahoma?

Mr. HITCHCOCK. I yield to the Senator from Oklahoma.

Mr. GORE. I wish to ask the Senator from Nebraska if he has any report showing the average of deposits in banks other than savings banks?

Mr. HITCHCOCK. I have not at the present time. I think the chances are, by reason of the fact that the mutual savings banks of New England and New York belong to an older system, that the average accounts are probably larger. I have not the figures at hand at the present time. Possibly the Senator from Massachusetts can state the average.

Mr. WEEKS. Mr. President, the average account in the Massachusetts savings banks is about \$380 at this time. It gradually increases from year to year. There are in those banks about two and a quarter million depositors, or within a million of as many depositors as there are inhabitants of the State. I think the average deposit in some of the New England States is somewhat higher than in Massachusetts, because there is not the same limit on the total deposit that can be placed in bank by one individual in some of the New England States.

Mr. GORE. Mr. President, can the Senator from Massachusetts state the average deposit in banks other than savings banks? That is what I was trying to ascertain.

Mr. WEEKS. No; I can not, Mr. President.

Mr. HITCHCOCK. Of course the average deposits in banks other than savings banks would be very much larger. I think the figures have been stated in the case of national banks, for which statistics are more or less accurate; but while they would undoubtedly be somewhat larger than the average deposit in savings banks, those deposits consist, to a great extent, of notes discounted. They do not represent the deposit of actual cash. They represent, for instance, the credit given to a borrower who goes to the bank and draws a note for \$10,000 which he discounts there, the amount being then placed to his credit. So the average cash deposits of commercial banks probably would not reach the limit which is contemplated here in the proposed amendment to the postal savings bank law.

It is because I believe in the Postal Savings Bank System, because I was an enthusiastic advocate of it, that I do not like to see it perverted here in a way which will lead ultimately to its destruction. I believe it ought to be kept within the lines that experience in European countries has demonstrated to be wise; that it should be retained as it was intended to be. It has been upon the statute books all too short a time to warrant such a radical departure. Our experience has not been great enough to warrant us in a revolution of the system that was introduced. As I understand, the only reason back of the contention for the change is to do something to place more money under the jurisdiction of the Post Office Department, so that the system may be operated at a profit instead of, as at the present time, at a loss.

Mr. President, we all knew that the early operations of the Postal Savings Bank System would be at a loss. We all realized that if the United States paid to the depositors 2 per cent interest and received from the banks only 2½ per cent interest the margin of profit would not be sufficient to make it a profitable operation for the United States at the outset. We did not go into the system for the purpose of making money. We went into the system for the purpose of introducing in this country a method and a means by which people who were too timid to place their money in private banks, too timid to trust even mutual savings banks in the Eastern States, would place their money with the post offices scattered throughout the country under a management known to be safe. I do not think the fact that the first years of operation have developed a loss, due possibly to some mismanagement in the Post Office Department itself, affords a reason for tearing the system up by the roots, converting it into an investment project, and inviting accounts running up to \$2,000.

Mr. BRYAN. Mr. President, I shall be very brief in what I have to say in reply to the remarks of the Senator from Nebraska [Mr. HITCHCOCK]. While I am on my feet I shall also undertake to answer, as best I can, some of the statements and remarks made upon yesterday by the Senator from Massachusetts [Mr. WEEKS].

The Senator from Massachusetts called attention to the fact that there are about 60,000 post offices in the United States, and wondered what would happen in case men with money about their persons who wanted a safe place to put it should go to any of these 60,000 post offices in the United States—any fourth-class post office, for instance—and ask the postmaster to take care of \$2,000 for them. The Senator from Massachusetts was under the impression that any postmaster in the United States would be obliged to accept the deposits offered to him and preserve them for the depositors.

The facts are that not more than 12,000 banks have ever been designated by the Postmaster General and the other members of the board of trustees for this Postal Savings System. Under an amendment of 1912, I believe, that matter is now entirely in the hands of the Postmaster General. I understand that since the last report of the Postmaster General a number of offices have been discontinued, it appearing that in certain localities where people had confidence in the banks, whether State or national or private, where the population was made up of citizens of this country who had confidence in the banks, it was perfectly useless and a waste of time and energy to undertake to operate the postal savings banks there; but there are certain other great localities in this country, where the population is largely foreign born and where little faith is placed in a bank, whether national or State, but they are willing to trust the Government. I rather suppose that comes about because of the fact that the countries from which they came have a system similar to our Postal Savings Bank System. Remarks were submitted to the effect that there was no unlimited amount allowed



in any country; but there is no limit on the amount which may be deposited in New Zealand, or in Italy, or in Belgium, or in the Netherlands, or in Sweden, countries from which our foreign-born population comes. In Canada deposits to the amount of \$3,000 are allowed. So it is not accurate to say that all the 60,000 post offices of the United States are open to deposits.

The Senator from Massachusetts argues that to increase the amount which may be deposited in one of these banks would operate to the injury of the mutual savings banks, and yet it seems to me that the Senator answers his own argument when he says that mutual savings banks pay 4 per cent interest on deposits, whereas under the present law the Government pays only 2 per cent interest, and under this amendment it would pay only 2 per cent interest to the amount of \$1,000.

The Government, however, would put this money in the banks at 2½ per cent, and thereby the banks get whatever money comes in because of this system. The Post Office Department says \$42,000,000 have been taken out of hiding by reason of this system. The banks will get that at a less rate of interest than they now pay their time depositors.

Another thing, Mr. President, the Government does not pay interest for a quarter or for any time less than a year. Money may be placed in a postal savings bank on the 1st of January, 1914, and taken out of it December 20, 1915, and only one year's interest will be paid. So the inducement is not sufficient for depositors who have confidence in banks which will pay a higher rate of interest for their savings.

Coming now to the objection of the Senator from Nebraska [Mr. Hitchcock], that when runs occur upon banks, under the amendment proposed by the committee money will be withdrawn from the banks, and that this system would aid in runs upon banks and cause perhaps failures where otherwise failures would not occur. Mr. President, there can be no better assistance provided for banks of whatever character when runs are made upon them than this very system. Under the law as it now is, and under the rules made in pursuance of the law, when money is taken out of a bank and placed in a postal savings bank it goes right back into the bank out of which it was taken, whereas in an ordinary run the depositors withdrawing their money place it in hiding. How it can be argued that to take money out of a bank by a depositor who is timid in regard to leaving it there longer, or who, trusting this system, will deposit his money in a postal savings bank, when by the postal savings bank it will be replaced in the very bank out of which it was taken, would operate to assist a run, I confess I am unable to understand.

Mr. SMOOT. Mr. President—

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

Mr. BRYAN. Certainly.

Mr. SMOOT. I wish to ask the Senator where money is taken from a bank in case of a run or otherwise and placed on deposit in a postal savings bank, and the postmaster having the money in charge deposits it in the bank, is it not true that before that can be done the bank in which the money is deposited must have deposited in Washington bonds of a certain character, and in order to buy those bonds it would have to pay at least par for them? Is it not also a fact that the banks are allowed a deposit of only 90 per cent of the value of the bonds that they have deposited here at Washington, or, in other words, that for every \$1,000 of postal funds deposited in a bank in any part of the country the bank has to deposit with the Government \$1,100 of bonds? Banks do not generally carry such bonds, and in order to get the deposit they would have to go out and purchase the bonds and deposit them in Washington before the postal funds could be deposited with them.

Mr. BRYAN. Mr. President, it is not the fact, as I understand it, that whenever a deposit is made at a particular time the bank puts up security. The banks that desire to receive these deposits qualify, and it is said that more than 7,200 of them have already qualified and already have the securities up.

Mr. SMOOT. For the money they have.

Mr. BRYAN. They have the securities not only for the money they have, but for the money they receive. They do not put up an additional security every time a deposit is made. Let me read to the Senator the rule adopted by this board:

If one or more local banks have qualified under the law, the postmaster shall deposit each day to the credit of the board of trustees, Postal Savings System, all postal savings funds amounting to \$10 or more on hand at the close of business on the preceding business day.

Then follows a provision that the deposits shall be equally distributed; that if \$200 is gathered up within a day it need not be distributed among all the banks; it may be deposited in one, but that no more shall be deposited in that particular bank until the other banks have been treated in like manner. I sup-

pose it is true that a bank that can not furnish security satisfactory to the Government can not receive these deposits, and it ought to be true.

Mr. SMOOT. I am not objecting to that, Mr. President. I was simply calling attention to the fact that the Government requires it, and rightfully requires it.

Mr. BRYAN. Certainly.

Mr. SMOOT. I know banks that qualified and to secure the first deposit made by the Government of the United States obtained \$10,000 in bonds. Just as soon as they had \$9,000 of deposits they were called upon for additional security, and then, of course, they would deposit another \$10,000 in bonds, and as soon as they had reached the limit—that is, 90 per cent of the value of the bonds deposited—they were called upon for additional security.

I am not objecting to the Government calling upon the banks for security. The Government ought to have it; I agreed with the proposition, in the first place, that they ought to have it; but I do not want a misunderstanding as to the proposition that this is helping a bank in the case of a panic. The only way it would help a bank in the case of a panic would be by having in its safe bonds that the Government would accept for the deposit, and then it would get 90 per cent of the money on them, whereas if the bonds were accepted by the Government, or with a suggestion that the Government would accept them, they could be sold on the market at any time and the bank receive full value instead of a deposit of 90 per cent of their value.

Mr. BRYAN. Of course that but illustrates the point that a bank able to put up security, solvent in every respect, can save itself under this system when a run is made upon it and stop the run when otherwise all its deposits might be withdrawn and the bank eventually ruined. It gives them a chance, at any rate, to get back the deposits taken out of the bank by creditors who are panic-stricken.

Mr. SUTHERLAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Florida yield to the junior Senator from Utah?

Mr. BRYAN. Certainly.

Mr. SUTHERLAND. I wish to ask the Senator from Florida about another feature of the bill. I understand under the existing law no person can make a deposit of more than \$100 in any one calendar month, and he can not in the aggregate deposit more than \$500. Under the bill as now proposed the limitation as to \$100 is taken off altogether, as is also the limitation upon the aggregate amount of \$500, so that a person might at one time deposit \$2,000. I ask the Senator whether he understands under the postal savings bank law that the amounts deposited in the post offices are exempt from execution or attachment?

Mr. BRYAN. I understand they are, under an opinion of an Assistant Attorney General.

Mr. SUTHERLAND. It would seem that funds on deposit in an institution of the Government would not be subject to execution. Then, is it not the effect of the bill to enable any debtor, if he should be sued, to withdraw at once from the bank \$2,000 which in that State would be liable to execution and put it in a situation where it could not be reached? Is it not the effect of the bill, so far as that aspect of it is concerned, to aid a dishonest debtor?

Mr. BRYAN. Mr. President, the ingenuity of man has never yet been able to overcome the schemes of dishonest debtors. Suppose a man had \$2,000 that he wanted to get out of the reach of his creditors and he would buy Government bonds, State bonds, or city bonds; it would have the same effect. I call the attention of Senators to the fact that the deposits which are now in the postal savings banks have the same protection, and if it is wrong to exempt them at all, it is only a matter of degree, because under the law now if a man is indebted and has \$500 in a postal savings bank, it is beyond the reach of his creditor.

Mr. SUTHERLAND. Of course, he can only—

Mr. BRYAN. Let me read to the Senator the proviso occurring in section 10 of the act:

And provided further, That the bonds herein authorized shall be exempt from all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority.

Mr. SUTHERLAND. I am not speaking of taxes. I am speaking of funds being withdrawn from the process of the court.

Mr. BRYAN. The bonds authorized to be purchased under this law are exempt, as all Government bonds and all State bonds are exempt.

Mr. SUTHERLAND. The point I am arguing, however, is that under the present law no debtor could at once withdraw

a large sum of money and turn it over to the Post Office Department and thereby avoid a judgment or an execution.

Mr. BRYAN. But he can now, without this law being passed, withdraw \$2,000 from the bank and invest it in bonds and have it beyond the reach of his creditors.

Mr. SUTHERLAND. That is not quite so simple as the method provided here. He would have to find bonds to buy and he would have to withdraw his money, and in the meantime an attachment could be levied. This gives him a very ready method of withdrawing his money and at once putting it into the post office, where it is completely sequestered from any possible process of a court.

Mr. BRYAN. That brings up the question whether we ought to provide that these funds shall be exempt, which is an entirely different proposition and is only one of degree, because they are exempt now under a \$500 limit, and they would be exempt if this amendment is passed under a \$2,000 limit.

The Senator from Nebraska referred also to tax dodgers. He said that money might be deposited for the purpose of avoiding the payment of taxes on the fund. Ohio and Indiana especially, I am informed, have undertaken to tax these deposits. What was the result? The depositor converted the money into bonds and immediately placed it beyond the taxing power. So instead of accomplishing anything the State, in trying to reach the fund, gave an excuse to the depositors to withdraw it. Furthermore, the depositors sent it away from the localities where the money was deposited.

Now, by another provision the committee has offered and which will be pending, all this money except 5 per cent reserve is required to remain in the locality, and I submit that in that respect the amendment is much better than the present law.

Mr. CUMMINS and Mr. WEST addressed the Chair.

The VICE PRESIDENT. Does the Senator from Florida yield, and to whom?

Mr. BRYAN. I yield first to the Senator from Iowa.

Mr. CUMMINS. There is one phase of this matter which I should like to submit to the Senator from Florida, which, it seems to me, has not yet been sufficiently considered. We will assume that a depositor has \$2,000 to his credit in a bank. He becomes a little fearful of the bank and draws it out and walks over to the post office and deposits it. Then he has the Government's obligation to repay it. The Government then goes back to the bank from which it was drawn and deposits it there at 2½ per cent interest. In doing so, the bank must give to the Government at least \$2,000 in public bonds for the security of repayment. In doing that the bank diminishes its assets by just so much applicable to the payment of other depositors. Does the Senator from Florida think that that is a fair transaction? Does he not think that it would be exceedingly unjust to the remaining depositors, who were depending upon the solvency or the assets of the bank to pay them whenever they demanded or were entitled to their money?

In other words, this is simply another way of making the Government the guarantor of bank deposits. If it were extended so that there were no limitations, then the process would be comparatively easy. If the bank were willing to take the Government deposits, the Government would in that way become responsible for the deposits that might be withdrawn from the bank or banks on account of this trust.

Mr. BRYAN. That is the very reason, Mr. President, why the committee thought it would be unwise to leave the deposits unlimited, but it was not supposed that if the limit was placed as low as \$2,000 that result would come about.

Mr. CUMMINS. If the Senator will strike out of this bill the provision that requires special security to be given to the Government and make the Government take its chances with other depositors in these banks, I would have no objection at all to the enlargement of the deposits, but I can not see the justice in the Government interfering so that it may protect one depositor and leave the others without any security at all. I think when the Government comes to deposit money in a bank, it ought not to demand any security, anyway, to the disadvantage and to the impairment of the security that the bank has for other depositors. I hope the Senator from Florida will not overlook this phase of it when he comes to consider the matter.

Mr. BRYAN. Mr. President, it occurs to me that the Senator from Iowa overlooks the fact that when the securities are put up by the banks with the Government, the Government is putting money in place of the security, which goes, of course, to the benefit of the bank and all of its depositors.

Mr. WEST. Mr. President—

Mr. BRYAN. I yield to the Senator from Georgia.

Mr. WEST. I understand from the discussion that this \$2,000 is nontaxable. What would be the result? I will say that in my own State the time is fixed—

Mr. BRYAN. No; the Senator is mistaken. It depends upon the law of the State whether these deposits are taxable or not.

Mr. WEST. Does the Senator from Florida refer to deposits in savings banks?

Mr. BRYAN. Yes.

Mr. SHIVELY. I think the Senator from Florida is mistaken about that. So far as the money deposited in postal savings banks is concerned where a citizen makes a deposit and receives an evidence of it from the Government, I understand that that evidence of that deposit is not taxable.

Mr. BRYAN. I was informed differently at the Post Office Department.

Mr. WEST. I want to show to the Senator from Florida the situation that would exist in my State. A return of property must be made there on the 1st day of May. What would prevent every bank depositor who had \$2,000 on deposit from going to his bank just before the 1st of May, taking it out, and turning it over to the Government by putting it into a Government savings bank, so that he would not have that money in his possession on the 1st day of May, and then on the 2d day of May go and turn it back into his own savings bank?

Mr. BRYAN. That would be a mere dodging of taxes, which I do not believe any court would uphold.

Mr. WEST. It would amount to thousands and thousands of dollars in the State of Georgia.

Mr. BRYAN. Well, a man would perjure himself in order to do it; and, if the Senator from Georgia will allow me to say so, I do not believe that there are more people in the State of Georgia in proportion to their numbers that would do that than there are elsewhere.

Mr. NORRIS. Mr. President—

Mr. BRYAN. I yield to the Senator from Nebraska.

Mr. NORRIS. I wish to ask the Senator from Florida a question. Suppose the deposits in savings banks are exempt from taxation—I do not remember that there is anything in the law that exempts them from taxation—that operation could not be performed, could it?

Mr. BRYAN. Such deposits are not exempt by the law, as I understand. That is my information about it.

Mr. NORRIS. Then, the suggestion made by the Senator from Georgia [Mr. WEST] would not be applicable. A man could not avoid paying taxes on his money by depositing it in a postal savings bank.

Mr. SHIVELY. Will the Senator from Florida yield for a moment?

Mr. BRYAN. Certainly.

Mr. SHIVELY. Mr. President, when the bill creating the Postal Savings Bank System was before the Senate, the question was raised whether the certificate of a deposit in the postal savings banks would be exempt from taxation. At that time it seemed to be the general opinion in the Senate that such certificate would be exempt from taxation; that it would be one of those evidences of debt against the Government of the United States that would fall in the same category of exemption from taxation as would a Government bond. It may be that in some of the States such deposits are in fact taxed. But very probably that is because the issue has not been raised.

Mr. NORRIS. Mr. President—

Mr. BRYAN. Just a moment, if the Senator from Nebraska will pardon me. I said a moment ago that I was informed by the Post Office Department—and it was the Third Assistant Postmaster General who gave me the information—that in some of the States such deposits are taxed.

Mr. NORRIS. If the Senator from Florida will yield to me, I should like to suggest, in reference to what the Senator from Indiana [Mr. SHIVELY] has said, that my recollection is that as the bill was introduced in the other House it contained a direct provision that these deposits should not be subject to taxation, and that that was stricken out, the idea of Congress being that they ought to be subject to taxation. If the Senator from Indiana is right, then we have a serious proposition before us.

So far as I am concerned, I am not willing to exempt these deposits from taxation any more than I would exempt deposits in an ordinary savings bank from taxation. I concede they might be exempted by the State law from taxation, but not because they are savings deposits. If all deposits were to be exempted, it would, of course, be proper to exempt these; but I do not understand—although, of course, I may be mistaken and the Senator from Indiana may be right—that there is anything in the postal savings bank law that could be construed into an exemption from taxation of such deposits.

Mr. WEST. Mr. President, I understand they are exempt because they are in the postal savings banks under the law as it at present exists.



Mr. BRYAN. Mr. President, I will conclude what I have to say by quoting from the report of the Postmaster General upon this subject as to the amount allowed to be received under the existing law.

Mr. CLARK of Wyoming. Mr. President, before the Senator from Florida proceeds with that, I wish to suggest to the Senator, in view of the discussion which has just occurred in regard to the taxability of these deposits, that it seems to me that the deposits while they are in the bank constitute an indebtedness of the United States to depositors, and therefore would be free from taxation by any local authority.

Mr. SHIVELY. And under the general statute.

Mr. CLARK of Wyoming. And under the general statute; yes.

Mr. BRYAN. Mr. President, I must say that my information is different, and that in Ohio and Indiana such deposits have been taxed. I do not know whether the matter was questioned or litigated, but some of the depositors, because of that very fact, converted their deposits into Government bonds.

Mr. NORRIS. I was unable to hear what the Senator from Florida said or what the Senator from Wyoming said in regard to such deposits being taxable.

Mr. CLARK of Wyoming. I suggested that probably these deposits would be an indebtedness of the United States to the individual depositors, and would therefore not be subject to taxation.

Mr. NORRIS. I should like to inquire of the Senator from Florida if he has a definite opinion from the Attorney General on the subject?

Mr. BRYAN. No; I have not. I have stated several times—

Mr. NORRIS. It had not occurred to me that postal savings deposits were not subject to the laws of the respective States in regard to taxation, and I have been laboring under that impression all the time. I know that the question was discussed when the bill was passed in the House. The bill as originally introduced exempting deposits in the postal savings banks from taxation received my opposition; I wanted to strike out any provision exempting them from local taxation; and if by construction of the general law they are now exempt from taxation, it seems to me that is another particular in which we ought to amend the law and make them subject to the laws of the States.

Mr. WEST. Mr. President—

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Georgia?

Mr. WEST. Is a national indebtedness taxable, I ask the Senator from Nebraska?

Mr. BURTON. Mr. President—

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

Mr. BRYAN. I do.

Mr. BURTON. I think postal savings deposits are subject to taxation. The question of the taxation of Government obligations of similar nature was very much discussed during the time of the Civil War, and I think it was conceded that, without some affirmative provision for exemption, they would be taxable in the respective States or jurisdiction in which they were held. There is another provision in the postal savings law that rather confirms the position that they are taxable. In the tenth section provision is made for exchange of deposits for bonds, and there is this provision:

And provided further, That the bonds herein authorized shall be exempt from all taxes or duties of the United States as well as from taxation in any form by or under State, municipal, or local authority.

If the deposits and the bonds were to be free from taxation, why was it necessary to insert a provision of that kind? Under the general principle *expressio unius est exclusio alterius*, the expression of the provision exempting bonds seems to convey the intention that the deposits are not exempt from taxation.

Mr. BRYAN. I am obliged to the Senator, Mr. President, the Postmaster General in his report for the year ending June 30, 1913, has this to say in advocacy of this change:

A conservative estimate indicates that more money has been refused by the Postal Savings System than has been accepted.

He means because of the limit of \$100 and the aggregate limit of \$500.

A still more serious effect than the loss to business of rejected savings, a large percentage of which has been sent abroad, is the confused thought and consequent lack of confidence which prevails among foreign-born people, who can not understand why the Government will safeguard a part of their savings and not all of them. This misunderstanding is generally prevalent among those who are most in need of the service.

Mr. President, I trust the amendment will not prevail.

Mr. WEST. Mr. President, I do not propose to address the Senate at any length on this subject, but only wish to give a few reasons why I do not think the postal savings-bank law ought now to be changed. I think it ought to be tried out

longer. Furthermore, outside of the question as to whether or not the deposits in the postal savings banks are taxable, I think that the proposed increase in the limit of deposits to \$2,000 will give the person who has his money on deposit in the postal savings bank too much leeway from his indebtedness. If a man who ought to pay his debts and who has the money elsewhere becomes involved, he can remove his money to a postal savings bank in order to elude the payment of a just and honest debt. I even think the \$500 limit is too much. Each State of the Union makes laws providing for exemptions in their respective jurisdictions. Then, why should the United States Government come forward and make provision for the exemption of \$2,000 more?

Another reason is, I do not think the original scope and purpose of the postal savings act contemplated that the Government should go into the banking business; and, in my judgment, the banks scattered over this country would be injured by making this limit \$2,000. For these reasons I shall oppose the amendment offered to the present law.

Mr. SHIVELY. Mr. President, one of the alleged purposes of the act establishing the system of postal savings banks was to encourage habits of thrift, prudence, and economy. This was to be accomplished by furnishing depositories where those people who are suspicious of the ordinary banks of deposit could place their savings in perfect confidence that they would incur no risk of loss. It was thought that this sense of security would not only encourage the savings habit, but that it also would bring hoarded savings from their hiding places, which, through deposit with the Government and redeposit by the Government in the local banks, would reinforce the actual available circulation of the community. The system so established is now patronized, as I am informed, up to the sum of \$40,000,000. There is no question that these deposits are exempt from seizure on execution. I believe they are exempt from all forms of local taxation. When the bill was before the Senate I submitted to Senator Carter, of Montana, who was in charge of the measure, the question whether the certificate of deposit contemplated by the bill would not, under then existing law, be exempt from State and local taxation. He replied that in his opinion it would. I have not had occasion to examine the subject recently, but my impression is that there is a general Federal statute—

Mr. BURTON. Mr. President, if the Senator from Indiana will yield to me, I will say that the general Federal statute on the subject, section 3701 of the Revised Statutes, reads:

All stocks, bonds, Treasury notes, and other obligations of the United States shall be exempt from taxation by or under State or municipal or local authority.

The Senator from Indiana will remember that there was a considerable amount of discussion when the postal savings bill was under consideration in 1910 as to whether the postal savings bank deposits were obligations of the United States. As the bill was at first framed, I think they were not. Payment was to be made from the securities in which deposits were invested. I remember conducting a line of questioning with the then Senator from Montana, Senator Carter, at the time, asking his opinion about it. But this is the provision as it was finally inserted in the postal savings bank act:

SEC. 16. That the faith of the United States is solemnly pledged to the payment of the deposits made in postal savings depository offices, with accrued interest thereon as herein provided.

Query, does not that leave the Federal Treasury in the position of a guarantor rather than of an original obligor? I think that question is certainly open to doubt, with the probability that it is not a direct obligation of the United States in the sense intended by section 3701 of the Revised Statutes.

I thank the Senator from Indiana for yielding to me.

Mr. WEST. If they were obligations of the United States Government, would they not be nontaxable?

Mr. BURTON. They would be under a literal interpretation of this statute; but, as the Senator from Georgia knows, a general expression of that kind following specific expressions such as "stocks, bonds, and Treasury notes" would be interpreted by reference to those items.

Mr. WEST. The inclusion of the one is the exclusion of the other.

Mr. SHIVELY. Mr. President, I can not accept the view of the Senator from Ohio as the correct one. Here is a certificate issued to the citizen by the United States Government. It is a certificate calling for a certain amount of money. The money has been placed on deposit at the post office. That certificate is payable by the United States. That paper, that certificate, that whatever you see fit to call it, bears interest at the rate of 2 per cent. That interest is also payable by the United States Government to the holder of the certificate. It seems to me that these facts bring the certificate squarely within the section of



the Revised Statutes exempting "obligations of the United States" from "taxation by or under State or municipal or local authority." When it is contended that in certain States these deposits actually have been taxed, I apprehend that it will be found that that was because no one raised the question of exemption, and therefore that no adjudication of the right to tax was had. With these features of exemption from execution and taxation in the system, no good purpose can be served by advancing the maximum deposit to the amount proposed in the bill. I doubt the wisdom of increasing the limit fixed in the act creating the system. I certainly could not vote to raise the limit above \$1,000. This limit would leave in full force all laudable inducements to habits of economy and thrift and to bring money out of its hiding places. The system should not be permitted to degenerate into a convenience for execution jumping and tax dodging.

Mr. WORKS. Mr. President, before the Senator takes his seat, does he agree with the suggestion that is made here that the Government is only a guarantor and not a principal debtor?

Mr. SHIVELY. No, indeed; I do not—a guarantor of what?

Mr. WORKS. It has been claimed by the Senator from Ohio [Mr. BURTON] that the Government is only a guarantor. It seems to me that as the deposit is made in a Government institution and a certificate is issued by the Government, it becomes the original and principal debtor.

Mr. SHIVELY. Undoubtedly; the original undertaker. Of what or of whom is the Government the guarantor? Who is guaranteed? No; the Government is an original debtor.

Mr. BANKHEAD. Mr. President, it seems to me we have entirely forgotten the purpose of the establishment of the Postal Savings Bank System. It seems to me we have entirely forgotten the argument that was made in the Senate that induced the Senate to vote for the establishment of the system. We were told—and I conclude the Senate were convinced of the correctness of the statements made at that time—that the main purpose of establishing the system was to bring money, out of hiding; to induce people who had small amounts of money, and who were not willing to trust the banks in this country with the deposits, largely the class of people who had been accustomed to postal savings banks in foreign countries, to deposit it with the post offices here. That was the purpose of establishing the system. If that is not the purpose now, it ought to be abolished.

I can see no reason why the Postal Savings Bank System should be conducted by the Government of the United States at a cost largely beyond the revenues derived from it by the Government. I think the proposition to increase the limit of deposits to \$2,000 ought to be adopted, and I think so mainly for the reason that it is the only way the Post Office Department has discovered, and I believe it is the only means, by which the Post Office Department can recoup its losses and make the system self-sustaining. More than a million dollars is already charged up to the Postal Savings System as a loss to the Government.

I do not see very much force in the suggestion that in times of stress, or at a time when small depositors become suspicious of the banks, they will go and withdraw their deposits and re-deposit the money with the postal savings bank. I can see no reason why they should do that. There is no profit in it. If, however, they can not have the opportunity of depositing the money somewhere when they become frightened and withdraw it from the bank, they will inevitably put it in their stockings, or hide it somewhere around the premises, and thereby it will be taken absolutely out of the channels of trade and commerce. If they can not make their deposits in the postal savings banks to an amount that is satisfactory to them, they will do what they did before the Postal Savings System was adopted; they will go and buy money orders and send their funds abroad, to be deposited in Government depositories or in countries where the postal savings bank laws permit deposits, in some cases, without limit.

If this amendment could be adopted, it would enable the Post Office Department to run the Postal Savings Bank System without a clear loss of a large amount to the Government; and, in my opinion, they can not do it in any other way. Something ought to be done in this respect. I do not know whether this is the proper remedy or not; but I simply desire to call the attention of the Senate back to the original proposition and the arguments that were submitted that induced the Senate in the beginning to adopt this system, namely, that it would offer encouragement to the class of people who were suspicious of our banks and desired some place to make their deposits where they would feel secure, or else they would continue to do as they have done for a long period of time—send their money away to be

deposited in banks where they had confidence, where they had been accustomed to making these deposits.

There has not been as much money deposited in these banks by far as was contemplated. Many of them have been discontinued and ought to have been discontinued. No doubt the department went too fast and too far in their establishment. Postal savings banks were established in many places where there was never any excuse or reason for their establishment. There is no question about that. Necessarily, as a matter of economy and good common sense, they have been discontinued.

The whole purpose of this amendment is to enable those who have shown some evidence of thrift and saving to have what they consider a safe depository, and one akin to or along the lines of those to which they have been accustomed.

I have no doubt—and I think the statistics will show—that a very large percentage of the deposits in our postal savings banks have been made by foreigners. I am informed by the Senator from Florida [Mr. BRYAN] that 75 per cent of the money comes from that source. Doubtless, Mr. President, from the information we have, from the statistics that have been gathered, more than twice the amount that had been deposited would have been deposited if it had not been for the narrow limits imposed.

If the Senate should adopt this amendment, I do not think there is any reason to fear that any great harm will be done by the so-called tax dodger. He is a pretty hard fellow to catch when he makes up his mind to dodge. I have never yet discovered any means by which you can discover and tax the money that is hidden away in the old family trunk or in the old lady's stocking or in the cracks around the cottage. You can not discover that; you can not reach it for any purpose. I submit that it is better to have that money go into the banks, in order that it may be returned to the channels of trade and commerce and be active in business, than it is to permit it or encourage it, if you please, to remain in hiding, as is the case now and was before the establishment of this system.

So the tax dodger does not concern me very much. The amount that he will deposit in one of those postal savings banks does not amount to very much in the way of revenues to the State or municipal government when you come to talk about taxing values. It seems to me it is an excuse rather than a reason why this proposition should not be adopted.

That is all I care to say about the matter. If the Senate in their wisdom think best, they may continue this system as it is now; but I beg Senators to remember that, like all other new systems, it was to be expected from the beginning that it would be discovered when we came to apply the machinery of this system that there were defects in it that ought to be remedied. It is perfectly natural that all great machines like this, obtaining all over the country and applying to thousands and thousands of postal savings banks, would have to be adjusted. It is natural that a great machine like this should "slip a cog," so to speak, that it might get off the track somewhere, and that it would become necessary to investigate all of its bearings and to adjust them as circumstances and experience indicate.

Mr. WEST. Mr. President, 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:

Bankhead	Johnson	Page	Smith, S. C.
Brady	Kern	Perkins	Smoot
Brandegree	Lane	Pittman	Sutherland
Bristow	Lea, Tenn.	Polindexter	Thomas
Bryan	Lewis	Ransdell	Thornton
Burton	Lippitt	Reed	Tillman
Catron	Lodge	Shafroth	Townsend
Chamberlain	McCumber	Sheppard	Vardaman
Cummins	Martin, Va.	Sherman	Warren
Dillingham	Martine, N. J.	Shively	Weeks
du Pont	Norris	Simmons	West
Gore	Ollver	Smith, Ariz.	Works
Hitchcock	Overman	Smith, Md.	

Mr. TOWNSEND. I wish to announce the absence of my colleague, the senior Senator from Michigan [Mr. SMITH], on important business. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY] and also the junior Senator from Wisconsin [Mr. STEPHENSON].

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.



Mr. BRYAN. I ask the Senator from North Dakota, in charge of the unfinished business, if he will not ask unanimous consent to lay it aside for the present? I have canvassed the situation thoroughly and I think the discussion of the postal savings-bank bill is over, or practically so. I make this request in view of the fact that yesterday when the unfinished business was placed before the Senate it was discussed for only a few minutes and then the Senate adjourned until to-day.

Mr. McCUMBER. I do not question the sincerity of the view of the Senator from Florida as to the probability of obtaining a vote in a very short time, but I have made some inquiry upon this side and I find that there will be an amendment offered and that there will be considerable discussion upon that amendment, enough so, Senators think, that probably it would take all day if I should yield at this time.

There are notices on the calendar to take up important bills after we have disposed of Senate bill 120; and I feel, under the circumstances, that it is due to the Senators who have given those notices that I should try and see if we can not get a vote upon this bill to-day and have it disposed of. Then it will be entirely out of the way of the Senator from Florida.

Mr. BRYAN. I hope very much that it will be, Mr. President. The unfinished business has been standing in the way of the regular procedure of the Senate for a long time. I do not concede that Senators have a right to insist that the Senate shall take up bills simply because they put notices on the calendar that they will call them up.

Mr. McCUMBER. No; I do not know that I concede that right, but the unfinished business has been before the Senate for a long time. I have taken a great many chances with the bill in trying to accommodate Senators. I tried my best to make an arrangement whereby the Senator could dispose of his measure yesterday, and the Senator thought then, as he thinks now, that a vote could be reached upon it in a very short time. Yet we have had another discussion of an hour and a half to-day, and we do not seem to be any nearer the end than we were yesterday. I am informed that the amendments which will be offered will require considerable discussion. I really want to accommodate the Senator, but—

Mr. BRYAN. The trouble is, if we proceed as we have been doing, we shall not get through with it by taking it up one morning for an hour and then be cut off by the unfinished business and have to start all over again the next day.

Mr. McCUMBER. The Senator will let me try and finish this bill to-day, and then he can have the whole day to-morrow.

#### INSPECTION AND GRADING OF GRAIN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

Mr. REED. Mr. President, I do not know whether it is possible to engage the attention of the Senate with this bill. It has been before the Senate now for, I think, nearly six weeks as the unfinished business. The discussion has been taken part in by the Senator from North Dakota [Mr. McCUMBER] and the Senator from Minnesota [Mr. NELSON] at great length. The Senator from Illinois [Mr. SHERMAN] delivered some illuminating remarks upon the bill. Yet, Mr. President, I undertake to say that the situation then was as I find it when I rise to discuss the bill, namely, that there are only a very few Senators in the Chamber. I make no complaint of this, because we all understand that there are several committees engaged in very important work which compels the absence of the members of those committees from the Senate Chamber. Nevertheless, it is a regrettable fact that a bill of far-reaching importance should be discussed in the absence of Senators, and then voted upon by Senators without any real knowledge of the question.

This bill is not like an ordinary matter of legislation relating to a law of a general nature and which may be well considered by Senators when they come to vote in the light of the general information they possess. This bill requires an intimate study and knowledge regarding the subject with which it deals.

Mr. President, by way of preliminary, I remark that just now we appear to be embarking upon a policy of regulating everything "in heaven above, on the earth beneath, and the waters under the earth" by acts of Congress. A fitting illustration of the direction in which we are going is afforded by the petition which was filed here this morning by some good citizen praying that the Federal Government proceed to regulate moving-picture shows. We will speedily arrive, I think, at a period where the size and contents of pap bottles will be made the solemn subject of congressional action and a commission of

Federal officeholders will be appointed to regulate the nursing of babies.

We go from one of these propositions to another, and, having once seized a jurisdiction, we hold it fast and reach out greedily for some new object for regulation. We started with laws which had for their purpose the prevention of the propagation of disease. That was followed by laws regulating the sale of foodstuffs deleterious to the human being. Then we undertook to regulate crimes committed within the States. Thus we passed a law prohibiting the use of the mails in the furtherance of fraud, and that law, which seemed at the time to be of limited scope, has been extended by construction, so that now it is held that if two or three residents of a State engage within the State in a conspiracy to commit a crime, and actually commit the crime within the State, and therefore are amenable to the State laws, nevertheless, if some letter be written and mailed, which does not in itself constitute a crime, but simply is a message sent in furtherance of some act of the conspirators, the entire conspiracy becomes at once subject to the purview of the Federal court. So we find our Federal courts are to-day congested with cases which are properly triable by the State tribunals, but which are immediately seized upon by the Federal tribunals because of the mere fact that a letter was sent through the mails.

We passed a law which was supposed to prohibit the decoying of an innocent, unsuspecting girl from one State to another, from the overreaching of her by some fraudulent pretense or by some trick or device and inducing her to cross a State line. That law has been construed by some of the Federal courts to include cases where men and women by mutual consent and with full knowledge of what is to occur have crossed a State line. Naturally such a law has become the most powerful instrument of the blackmailer.

The peculiar thing about conferring Federal jurisdiction lies in this fact that the authority granted by Federal statutes appears to possess the equality of indefinite expansion and unlimited stretching. The law is held to embrace not only that which its terms describe but all incidental powers which the imagination of men can add to or deduce from the act.

So that when we propose to establish a system of Federal inspection of grain we must do so fully understanding that the Federal authority will at once grasp not only that which we now have within our minds but that its arm will be stretched over many fields we do not contemplate.

I want to emphasize the fact that this is not a bill concerning the health of the people. It is not a bill concerning the morals of the people. It is not a bill which concerns the prevention and propagation of disease. It is a bill having for its object and purpose the mere regulation of an article of commerce. It is proposed that we shall inspect wheat, corn, rye, oats, barley, and things of that kind. Of course no distinction in principle can be drawn between the inspection of wheat and corn and rye and oats, on the one hand, and the inspection of potatoes, carrots, beets, alfalfa, and hay, on the other hand. If you reply that wheat is a great article of commerce, I answer so are the other commodities I have mentioned. If you reply that wheat is a prime necessity of life, or that corn is an article of great value, I reply that the same argument can be made for all the products of the farm.

If we are to have a Government inspection of all the products of the farm, I inquire why we should not have a Government inspection of all the products of the factory? Why not put a Government officer beside the door of every manufacturing establishment in the United States and insist upon an inspection and a Government stamp going upon everything produced. I repeat what I said, not because it is brilliant but because it is in point, that if we continue to expand our governmental activities it will not be long until some people will want us to regulate the size of the pap bottle, to prescribe its contents, and to specify the shape of the nipple.

To my mind, Mr. President, when this Government was formed it was intended that the Federal Government should only exercise those powers essential to the solidarity and strength of a National Government. The fathers were extremely careful in limiting the powers of the Federal Government. It was intended that every State should remain sovereign in all respects save as it had expressly delegated powers to the Federal Government. It was contemplated that the people of the States would know how to maintain the peace within their borders, that they would know how to establish courts of justice, to regulate trade and commerce, to pass wise and provident laws, and to enforce those laws through the ordinary machinery of State government.

But it has come to a point now where it is expected that Congress shall be the clearing house for all human ills and



that every man who has a cause of complaint shall immediately bring it here to the Halls of Congress and demand a remedy by national legislation.

I repeat, Mr. President, if there is any reason why this bill should be passed, it being a bill that neither relates to the health nor the police powers of Government, then the same argument could be advanced for the inspection of everything which comes from the farm, everything which comes from the mine, and everything which comes from the doors of the factories of this country, because we will have entered into a new field, into the field of commerce and trade; we are no longer in the domain of morals or of health.

Mr. President, I want to call the attention of the Senate to just what this bill undertakes to do. It is an extremely radical measure. It is a measure which, if understood by the Senate, will, in my judgment, not be passed.

In the first place, Mr. President, this bill gives the Secretary of Agriculture broader powers than have ever been conferred upon any governmental official to my knowledge.

First. The Secretary of Agriculture is authorized to hire an unlimited number of men.

Second. He is authorized to pay unlimited salaries. It is true, there is a clause which states the salaries shall be consistent with the salaries usually paid for similar work, but that constitutes no legal limitation or bar upon his powers.

Third. The fees that he shall charge for his services are limited only by the statement that they shall simply be sufficient to defray the expense of inspection.

Fourth. He is authorized to fix an unlimited number of points of inspection.

Mr. President, these are very broad powers, and very improper powers, and very dangerous powers to grant to any one man. Of course what I say is no reflection upon the present occupant of the position of Secretary of Agriculture. This law is not intended to apply to him. It is intended to apply to the office and to any man who may occupy it. But whether wise men or foolish men shall hereafter fill the office, the fact nevertheless remains that Congress should not grant to any man the right to employ an unlimited number of men at an unlimited number of places and at unlimited salaries. The author of this bill can not point to a real limitation with respect to any of the powers I have mentioned.

Mr. President, this bill prohibits the shipment of any grain from one State to another unless that grain has been inspected.

Mr. HITCHCOCK. Mr. President—

The PRESIDING OFFICER (Mr. McLEAN in the chair). Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. REED. Certainly.

Mr. HITCHCOCK. Before the Senator leaves the part of the discussion he was just engaged in, I should like to ask whether he has made any computation or whether he knows of any computation showing the number of grain inspectors that would be necessary if this bill should become a law?

Mr. REED. I have not made a computation of that.

Mr. McCUMBER. Mr. President—

Mr. REED. It is impossible, I think, for any human being to make an accurate computation, for the reason that as the bill is drawn, while it names certain points where there must be inspection, it also leaves it within the power of the Secretary of Agriculture to establish any other points he may see fit. I was about to say that the bill, as I construe it, requires the inspection of every bushel of grain that is shipped across a State line.

I can, in partial reply to the interrogatory of the Senator from Nebraska, say that the estimate of the man charged by the Secretary of Agriculture with the duty of fixing grades is that Federal inspection will cost \$1 a car, which is about two and a half times what inspection now costs.

Mr. McCUMBER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. REED. I yield.

Mr. McCUMBER. I wish to answer the question which the Senator from Missouri said he was unable to answer. The Secretary of Agriculture a few years ago made an estimate—and, of course, he made it upon the probable number of inspectors that are now required at these grain centers—and his estimate was something even above the number that were employed at that time. He gave 650 as the limit of the number that would be required; that is, about the same number now employed at the several exchanges at these points. While the Senator from Missouri says that the bill authorizes the Secretary to establish other places, that is simply other places that may grow into importance, and the bill uses the words "im-

portant centers of interstate grain traffic." Of course, the Secretary would not appoint additional inspectors unless there were such important points developed.

Mr. REED. No, Mr. President; the bill goes further than that.

Mr. McCUMBER. I want to suggest, further, that the Secretary of Agriculture has estimated that the cost of inspection would be about 40 cents a carload.

Mr. REED. I have a different estimate, and I shall produce it in a moment.

The bill which the Senator from North Dakota has drawn here goes beyond the mere inspection of interstate grain, and proposes to establish a system by which intrastate shipments shall also be inspected. There is, in my judgment, no human being capable of making even a reasonable guess as to the extent to which this system may be enlarged.

Mr. SMITH of Michigan. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

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

Bankhead	Hitchcock	Norris	Smith, Ariz.
Brady	Hollis	O'Gorman	Smith, Ga.
Brandeggee	Johnson	Overman	Smith, Md.
Bristow	Kern	Owen	Smith, S. C.
Bryan	Lane	Page	Smoot
Burton	Lea, Tenn.	Perkins	Thomas
Catron	Lee, Md.	Pittman	Thompson
Chamberlain	Lewis	Reed	Thornton
Chilton	Lippitt	Robinson	Vardaman
Clark, Wyo.	McCumber	Shafroth	Walsh
Crawford	McLean	Sheppard	Warren
Dillingham	Martin, Va.	Sherman	West
du Pont	Martine, N. J.	Shields	
Fall	Nelson	Shively	

Mr. WALSH. I announce the absence of my colleague [Mr. MYERS] on account of illness. I am pleased to say that he is recovering very satisfactorily.

Mr. REED. Mr. President, I desire to say that my colleague [Mr. STONE] is detained from the Senate by official business.

The PRESIDING OFFICER. Fifty-four Senators have answered to the roll call. There is a quorum of the Senate present.

Mr. REED. I was about to say, Mr. President, when interrupted by the call for a quorum, that the bill prohibits the shipment of grain from one State to another in the absence of inspection. I undertake to say, sir, that under this bill a farmer living in the State of Missouri can not buy a load of corn in the State of Kansas, haul it 2 miles across the State line, and feed it to his hogs without laying himself liable to the pains and penalties of the proposed statute; I undertake to say that a farmer living in the State of Ohio, if there are no places established for inspection other than those named in the bill, desiring to buy corn in the State of Indiana, just across the State line, would be obliged to have that corn sent to Philadelphia and have it there inspected and shipped back to him. I undertake to say that this bill calls for the inspection of ten times the amount of grain inspected under the present system, of ten times more grain than goes at present to the terminal markets. Over 90 per cent of the grain of the country is consumed in the United States. The greater part of it never reaches a terminal market; nevertheless vast quantities of it are shipped across State lines. As I construe the bill, it will compel all of the grain that is shipped from one State to another to be sent to a terminal market, possibly hundreds of miles away, then shipped back. All that burden of transportation will fall upon the consumer. Not only would the cost fall upon the consumer, but there is no adequate advantage to be gained by the inspection of the greater part of the grain used in domestic consumption.

The farmer, Mr. President, in the State of Illinois finding himself short of corn to feed his hogs or cattle, who goes to his neighbor across the State line and buys a few hundred bushels of corn, does not care to have it inspected by a civil-service employee or by anyone else. He uses his own eyes and his own judgment.

Let us see, now, if I am correct in this construction of the bill. It is conceded that, as the bill was originally drawn by a committee which has had it under consideration for at least six years, it required the inspection of all grain crossing a State line. But it is claimed that certain amendments have been proposed, although not yet adopted, if I understand the state of the record, that will limit the operation of the bill to those grains which do in fact reach some one of the terminal markets. I undertake to say, however, that if this bill is passed as now written, including the amendments to which I have just adverted, notwithstanding the amendments, it will still remain true that you can not transport a bushel of corn or of wheat



or of oats or of barley across a State line unless it has gone to a terminal market and has there been inspected. I challenge attention to the language contained in section 2. That section reads:

SEC. 2. That said Secretary shall also appoint, in accordance with the rules of the civil service, at each of the following cities, to wit, Portland, Me.; Boston; New York; Philadelphia; Baltimore; Chicago; Minneapolis; Duluth; Superior; Kansas City, Mo.; St. Louis; New Orleans; Seattle; Tacoma; and San Francisco; and at such other important centers of interstate trade and commerce in grain as he may consider necessary or proper for carrying out the provisions of this act, one chief grain inspector and such assistants as may be required to inspect and grade grains as herein provided.

Then follows a provision with reference to intrastate shipments or business. I now turn to section 8, which reads:

SEC. 8. That it shall be the duty of any railroad company, steamship company, or other firm or corporation or private individual engaged in the transportation of grain destined to any State, Territory, or country other than that in which it is received for inspection, or received from any other State, Territory, or country than that to which it is consigned, to notify the chief grain inspector at the place of destination of any consignment of grain, where an inspector is located at such place—

The words "where an inspector is located at such place" constitute the much-talked-of amendment—

within 24 hours after its arrival, that a shipment, cargo, or load of grain is in its, their, or his hands and the place of destination of said grain.

That it shall be unlawful for any person herein named—

That is, any corporation, firm, or private individual—

to willfully unload or otherwise discharge any load, cargo, or consignment of grain which has been at any time during the period of its transit an article of interstate commerce and which has not been inspected in accordance with the provisions of this act, until the same has been inspected as provided herein.

Now, Mr. President, you will observe that the language of the bill is that it shall be the duty of any corporation or private individual—

engaged in the transportation of grain destined to any State, Territory, or country other than that in which it is received for inspection, or received from any other State, Territory, or country than that to which it is consigned—

To do what?—

to notify the chief grain inspector—

Where?—

at the place of destination of any consignment of grain, where an inspector is located at such place—

If the bill stopped at that point, there might be a doubt as to the meaning, but when we go to the next clause we find the general language—

That it shall be unlawful for any person herein named—

That is, any private individual or any firm or any railroad—to willfully unload or otherwise discharge any load, cargo, or consignment of grain which has been at any time during the period of its transit an article of interstate commerce and which has not been inspected in accordance with the provisions of this act.

Mr. President, remembering that Federal courts extend their authority to the limit, remembering also that the proposed statute will be regarded as a remedial statute, and not as one to be construed strictissimi juris, we are forced to conclude that if we pass this bill as it is written, the Federal courts in all probability will hold this clause—

That it shall be unlawful for any person herein named to willfully unload or otherwise discharge any load, cargo, or consignment of grain which has been at any time during the period of its transit an article of interstate commerce, and which has not been inspected in accordance with the provisions of this act—

as sufficiently broad in its language to embrace all shipments across a State line. The courts are very likely to hold that the general clause controls and that the other provisions of the bill must be regarded as subsidiary to it.

I would undertake as a district attorney of the United States to convict under this bill any man who transported corn across a State line for sale. The amendment which has been introduced here does not at all meet the case; it does not accomplish the objects which the Senator who is fathering this bill intended it should accomplish.

Permit me at this point to summarize. We have here a bill which declares:

First, that all grain shipped across a State line must be inspected;

Second, the Secretary of Agriculture is granted unlimited power to fix the number of places where grain shall be inspected;

Third, the bill gives him the right to employ an unlimited number of men;

Fourth, it gives him substantially the unlimited power to determine the grades and the character of inspection;

Fifth, it gives him the unlimited power to fix the salaries of the employees; and

Sixth, it gives him the power to fix a charge for inspection which is limited only by the amount of cost which he may incur in the inspection.

Mr. WEST. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. REED. Certainly.

Mr. WEST. For the purpose of transit, if a train is going across the corner of a State in a section where there might not be any place for inspection, would that train have to stop there in order that the grain it carried might be inspected?

Mr. REED. Under this bill it would have to go on to a point of inspection and there be inspected before it could be unloaded at the point of consumption.

Mr. President, think of the situation we would be in. Suppose there were no points selected except those named in this bill and that the construction I have given to the bill is accurate—and that it is accurate I feel absolutely convinced—we would have an inspection point at Portland, Me., another at Boston, another at New York, another at Philadelphia, and another at Baltimore, these places all being upon or near the eastern coast. There would be no other place of inspection until we reach Chicago, 900 miles farther west. We jump then to Minneapolis and Duluth and Superior, all located far to the north. In the great interior Kansas City and St. Louis and New Orleans are named. There is not another point of inspection named until we get west of the Sierra Nevada Mountains. If, then, a man in Oklahoma wanted to buy grain from a man in New Mexico, he would have to ship that grain to Kansas City, four or five hundred miles, and haul it back to Oklahoma. If a man in New Mexico wanted to buy from a man in Arkansas, he would be compelled to have the grain shipped to Kansas City, hundreds of miles, then inspected and hauled back to his own State. If he did otherwise, he would violate this law and lay himself liable to a fine of \$5,000. That is the absurd condition in which it is admitted that this bill was when it was introduced, and the amendment which is proposed does not, in my opinion, avoid the difficulty.

It was said here by the Senator who is the author of the bill—indeed, it has been said several times to Senators who have ventured to ask questions—that they are not acquainted with the grain business. I submit that the bill fails to disclose any great familiarity with the grain business by the committee.

Mr. President, before we pass a bill of this kind we ought to give it careful consideration. Mark you, the commonest thing in this life, when we find some evil has grown up under a system, is, keeping our eyes upon the evil alone and thinking of none of the virtues, to proceed to demolish the whole system. Then we start to build an entirely new structure, forgetful of the fact that the new may embrace more evils than the old. There is a class of philosophers in this world who, if they found the plumbing in their house out of order, would want to dynamite the house. There are certain gentlemen who, if they found that a prisoner had cut his way through the bars of a cell in a jail, would want to burn down the jail instead of fixing that cell.

There is a class of people, very numerous just now, who, finding that some evil exists under a State regulation or a State law, immediately propose to destroy the State authority and take over all of the business into the hands of the Federal Government. These assume that Federal agents are gifted with infallibility, and that if the agents pass a civil-service examination the reign of righteousness and virtue and goodness is certain.

My experience, sir, has been that, almost without exception, that government is best which is closest to the people directly affected and that government is worst which is farthest from the people directly affected. The reason is that when local communities possess the power to regulate their own affairs the moment an oppressive or bad condition exists the effect is immediately felt by those responsible for the state of affairs. As soon, therefore, as they feel the effects they begin to set about to find a remedy. But when the seat of authority is far off it is impossible to rectify an evil unless it becomes so widespread as to provoke a general revolt. Therefore, I lay it down as a fundamental proposition that, so far as the inspection of grain is concerned, local boards created by State authority are better qualified for the business than is a general board created by Federal authority.

I want to impress, if I can, upon the few Senators who do me the honor of listening the important consideration that the mere fact that some evils may exist under our present system affords no reason whatever for the destruction of the system and the establishment of a Federal scheme. The question to be deter-

mined is whether Federal inspection is better than State inspection, or will be if improved so far as it can reasonably be improved.

Mr. President, I call the attention of the Senate to the peculiar fact that the report in favor of this bill is six years old; that the hearings upon this bill were concluded six years ago; that since that time there has not been a bit of evidence taken in this case, except that two years ago some men came and demanded the right to be heard. When that demand was made they were treated in a manner so discourteous and so unfair that I blushed as I read the record.

The circumstances were these: This bill was before a committee, and a report was written attacking the entire grain trade and all inspection boards. That old, original report appears here to-day, six years old, without a single addendum to it, so far as I have been able to discover. At a subsequent session of Congress—in the Sixty-first Congress—there was an appearance by some men interested upon the other side of the bill, and the bill passed over without being reported. At the Sixty-second or Sixty-third Congress the bill was again reported. About this time the newspapers printed what was claimed to be the report of the committee, and thereupon some men prominently engaged in the grain business asked for a hearing upon the ground that they had been libeled in the report. The Senator from North Dakota strenuously objected to reopening the case, and the committee replied that they had not made any such report; that they had written a little, short, innocent report of about 20 lines.

So these men were denied a hearing, except upon one or two subjects which were alleged to be new matter. Then, after that had transpired, at this session of Congress the old, original report, which was repudiated two years ago, when the protesting gentlemen were here, was taken out of the pigeonhole, the dust blown off it, and it is filed here to-day.

I say that for six long years the men interested in this business have not been given an opportunity to appear before a committee of Congress and have a real hearing upon the bill. Since the hearings were had, six years ago, there have been important modifications and changes in business, and since that time the Federal Government has taken some most important steps to which I shall call attention a little later on.

It is a singular thing that a bill embracing the important matters which are gathered within the sweep of this measure should be brought before Congress on hearings six years old.

Mr. President, I make bold to say that the report upon which this bill is brought to the Senate is mistaken in every material fact that it alleges; that it is prejudiced; that it is partisan; that it is unjust; and I undertake to prove my assertions.

I am going to take a little time to go through the report; and if I can continue to get the attention of even the half dozen Senators who are paying attention now I shall hope, at least, to put a little seed in ground that will bear fruit when we come to the vote.

I start with page 1 of the report:

The producer, for the most part, is without any voice in determining the rules or regulations governing the handling or grading of his grain, the price of which is fixed by such grading, and helpless to reform or eliminate the many abuses which have entered into the system of handling and grading grain at these great terminals, and which operate as a fraud and injustice upon both the producer and consumer.

A little later on the report states:

These evils, which have been established by both the positive evidence of witnesses and the record admissions of the boards of trade and State warehouse commissions, which for the most part govern the commerce in grain, may be epitomized as follows.

Then follows language to which I shall refer in a moment. I read now paragraph 2:

(2) Practically all grain passes through one or more great terminal markets before reaching the consumer.

Not 20 per cent of it passes through the great terminal markets.

The report continues:

Its value is fixed by the grade that is placed upon it at such terminals.

Now, listen:

Under the present system, whether under State laws or board of trade rules, the parties in interest as purchasers at the great terminals dominate and control all rules governing the handling of grain, its inspection, and grading. That such rules should be in the interest of the terminal purchasers under such a system is not surprising.

(3) The appointment of inspectors and the fixing of grades are under the control of the boards of trade.

Listen:

The appointment of inspectors and the fixing of grades are under the control of the boards of trade. The relation between the inspection and grading power and the purchasing interest is most close and intimate.

(4) Appeals from the decision of inspectors are almost invariably taken to a board of appeals composed of persons who are either directly

or indirectly interested in the purchase of grain from the inspection of which the appeal is taken.

(5) That the inspection and grading departments at these great terminals are subservient to and dominated by the great elevator interests is established beyond question.

In a word, this report baldly and nakedly charges that practically without exception the purchasers of grain at great terminals dominate the inspection, appoint the inspectors, fix the grades, and fix them in their own interest. I utterly deny this general statement.

Mr. President, there are two methods of inspection in this country. One is the board of trade inspection, where the inspectors are selected by boards of trade, and the members of boards of trade are grain dealers. In addition to inspection by boards of trade, there is State inspection in the following States: Missouri, Minnesota, Iowa, Illinois, Indiana, Kansas, and Ohio. The State grain inspector, by whatever title he may happen to be known in these respective Commonwealths, is a State officer, appointed by authority of all the people of the State, and not appointed by boards of trade. He names every assistant he has, not by virtue of the let or hindrance of a board of trade or of any grain dealer, but upon his own initiative and under his own oath of office. When, therefore, a report indulges in the extravagant and reckless statements contained in the paragraphs I have read, it ought at once to cease to have the regard of careful men.

In my State we have a State grain inspector who appoints his own deputies, establishes his own office, fixes his own grades, and is under oath that neither he nor any of his inspectors shall be directly or indirectly interested in the grain business. The same thing, in substance, is true of all the other States I have named. I repeat, that when the statement is made in this report to the effect that all of the people engaged in inspection are under the dominance and control of men engaged in the grain business, omitting all consideration of or reference to the fact that in the greatest grain-producing States in the world, embracing the greatest markets in the world, there is State grain inspection, is most astonishing.

Why, Mr. President, a State grain inspector who would do the things that are charged in this report would, first of all, be guilty of a crime, and secondly, he would be incontinently kicked from office. Why? Because whenever he passed as No. 1 a cargo of grain which was in fact No. 2 the man who had purchased No. 1 and received No. 2 would immediately appeal to the superior authorities of the State, demand an investigation, and bring to book the guilty inspector. To deny that is to deny the ordinary course of human events. The statement, therefore, is untrue—of course, unintentionally untrue; but, nevertheless, untrue. It has not a leg to stand upon, so far as State inspection is concerned.

Then follows the statement that in case of appeal, the appeal goes before interested parties. In case of appeal in these States that have State grain inspection it does not go to interested parties. It goes from the inspector to the chief grain inspector. It goes from the employees of the inspection department up to the head of the inspection department, a sworn officer of the law, elected in my State by the popular vote of the people.

Turning to board of trade inspections. I do not think board of trade inspections are anything near so desirable as inspections by the State. Nevertheless, a moment's consideration and reflection will lead any candid man to the conclusion that a statement such as I have made here—

That the inspection and grading departments at these great terminals are subservient to and dominated by the great elevator interests is established beyond question—can be true.

Let us look at the matter for a moment. We have heard much about the farmer and how the farmer is gouged by this inspection. Mr. President, the farmer has nothing to do with this case. He is like "the flowers that bloom in the spring." Not 5 per cent of the grain that reaches these great grain centers is, when it reaches there, the grain of the farmer. What farmer in your community, sir—unless he is one of these senatorial farmers who owns 9,000 acres of land and farms it from the floor of the United States Senate—what farmer is there, what ordinary farmer, who sends his grain in his own cars to Chicago or Kansas City or Minneapolis or Indianapolis?

There is the occasional farmer, possibly, who does so, but 90 per cent of all grain sold is sold at the railroad station to somebody who has an elevator. When the grain reaches the market it is the grain of the elevator man. Now, who is he? He is not a weak, helpless farmer, one of the oppressed and downtrodden of the earth, needing the protection of all legislative bodies. He is a shrewd, keen, sharp grain dealer, with plenty of capital. He handles thousands and hundreds of thousands and in some instances millions of bushels a year. Very frequently elevators



are owned by corporations, and often one corporation will own a large number of elevators, stretching along hundreds of miles of railway and located in different States. They buy the grain from the farmer, and they buy it upon sight and upon their own judgment as to its value, and upon the farmer's willingness to sell at that price.

When the grain comes to Chicago, or when it comes to Kansas City, or when it goes to one of these cities where there is board-of-trade inspection, let us see what happens. If the farmer should follow the grain there himself—which would be a very rare occurrence—he would insist on seeing it inspected, and if it was dishonestly inspected he would not deliver the grain. That, however, is not the way the business is ordinarily done.

The business is ordinarily done in this wise: The owner of an elevator has upon the board of trade a commission man or member, who acts as his agent or factor. He ships in grain to that agent or factor, and it is the business of that agent or factor to do for him the best he can possibly do. What is the result? The agent could not keep the business of the elevator man if he did not deal fairly by him and did not protect his interests any more than a dealer at the stockyards could keep the business of the ranchman if he did not deal fairly by him; any more than the lawyer could keep the business of his client if he did not represent him fairly. Accordingly, it is to the interest of this board of trade member to get as good a bargain as he possibly can for his customer who owns the elevator, or even for the individual farmer, who, in rare and spasmodic instances, may ship his own grain. Therefore the seller of grain has upon the market his advocate, his champion, his agent, his factor, his man.

Then what happens? Another man is a consumer. He wants a thousand bushels of wheat. He writes to some man upon the board of trade to buy it for him, and that man gets a commission for buying it for him. If he does not buy it for him on the right terms and protect him, he loses the custom of that consumer. Accordingly, that board of trade man is interested in opposition to the first man of whom I have been speaking. He is interested on the other side of the trade. It is to his interest to protect his customer and get the grain graded as low as possible. The man who represents the "shipper in" is impelled toward the idea of getting as high a grade as possible. The man who represents the "shipper out" is interested in getting as low a grade as possible. Thus, you have now two board of trade men arrayed upon either side of the same proposition, and between these two are inspectors appointed by the board of trade to inspect all grain that comes in.

How long would a board of trade last, how long would men continue to be members of it, if these inspectors, appointed to do justice and to fix a proper grade and standard, were to fix an improper and an unjust grade or standard?

Why, if the grade were fixed too low for the man who received the grain from the elevator, he, as a member of the board, would immediately object, and he would continue to object and fight for his rights, because his commercial life depends upon the success of his fight. On the other hand, the man who represents the consumer in that transaction, if the grain were graded higher than it ought to be, if his customer were to be thereby injured, would fight for a proper grade because of loyalty to his customer and because of loyalty to himself, desiring, as he would, to retain the trade and business of his client.

So when it is stated that these boards of trade inspectors represent one side of all deals it is manifest that the declaration is a mistake. The inspectors can not represent one side in a deal. They must stand in an impartial position.

I am not saying that there may not have been a dishonest trick turned here or there. I am not saying that there may not have been dishonest men upon the boards of trade and dishonest inspectors. But there was a dishonest man among the twelve disciples, and there will be dishonest men among Federal inspectors.

So, Mr. President, the fundamental fallacy of this report is the assumption that there is no such thing as honest State inspection or honest board-of-trade inspection.

The report is full of errors of fact. The very first thing in this report, the sweet morsel that has been rolled under the tongue of this committee, and that has dropped like honey dew from the lips of the distinguished Senator who so valiantly champions the bill, are some resolutions passed at Salina, Kans., seven years ago. It seems to have been the particular bit of evidence that exactly suited the committee, and therefore, like the poor, we have it always with us. I read:

These evils, which have been established by both the positive evidence of witnesses and the record admissions of the boards of trade and State

warehouse commissions, which for the most part govern the commerce in grain, may be epitomized as follows:

(1) Lack of uniformity in the grading of grain at the various terminal markets. A resolution adopted at Salina, Kans., January 15, 1907—

Why did we not go back to 1807 for a resolution at Salina, Kans., or at Plymouth Rock—

by independent grain dealers succinctly presents the injustices resulting from this evil. The portion referred to reads as follows:

Quoting:

Too much can not be said and done in favor of a national inspection law. We have no uniform inspection of grain and cotton, the principal farm products, which are so largely dealt in and which are of such great importance to both the producer and consumer. A shipper of grain can not send a car of wheat from one point to another with any degree of security at the present time, take all the precaution he may. A shipper at some point in Kansas may have a car of grain inspected by the Missouri State grain-inspection department as No. 3; the same car of grain may be forwarded to Illinois, and there inspected as No. 4; and from Illinois it may be sent to New Orleans, and there inspected as "no grade"; discounted from place to place anywhere from 1 to 15 cents per bushel, until it falls into the hands of the trust exporter, when it is again inspected as No. 2 and sold for No. 2 at No. 2 price, the difference falling into the hands of the trust instead of the farmer and producer.

I undertake to say that there is not in this record the testimony of a single witness bearing out generalization of these unknown gentlemen who seven years ago met out at Salina, Kans., and who called themselves "the independent grain dealers." That leads me to remark that a little further on I will try and show who some of these distinguished witnesses are.

But I call the attention of the Senator who is the author of this bill to the fact that last January the grain dealers of Kansas distinctly condemned his proposed Federal inspection law. That circumstance probably accounts for the fact that the author of this report preferred a resolution 7 years old to one 4 months old. I have not seen the original resolution, but it is so reported in the press. The Senator from Oklahoma [Mr. GORE] suggests to me "that the resolution may improve with age." Mr. President, the doctrine of improvement with age does not apply in this case. We are dealing with a dry subject. [Laughter.]

I have here a letter written by the State grain inspector of the State of Missouri, Mr. James T. Bradshaw. He was elected by the people at large in the State. He has had some 10 years' experience in the grain-inspection department. He has had occasion to follow and keep track of these questions. Mr. Bradshaw states:

The very first statement in the committee's report is misleading, quoting a resolution adopted by grain dealers at Salina, Kans., January 15, 1907, in favor of national inspection of grain, and leaving the inference that the grain dealers generally of Kansas were in favor of Federal inspection of grain, and hence would favor the bill under consideration.

The fact is that the grain dealers generally of that State are opposed to Federal inspection, and the Kansas Grain Dealers' Association, composed of grain dealers of every part of that State, at a meeting in January of this year, adopted resolutions strongly opposing Federal inspection of grain. So much for that part of the Senate committee's report favoring the bill.

And yet the repudiated resolution of seven years ago was not only made a part of the report, but was dwelt upon in the very forceful speech of the Senator from North Dakota.

Upon that point I desire to submit the statement of Mr. F. G. Crowell, who is to-day the best grain expert there is in the Central West. He makes this statement:

The report of this committee is evidently based on conditions claimed to exist six or seven years ago, and shows a lamentable lack of knowledge as to conditions existing to-day. In providing for the fixing of standards and classification of grain it ignores the fact that the honorable Secretary of Agriculture has, through the bureaus of the department, already established uniform standards for corn grading, effective July 1, 1914, and the Department of Agriculture is now investigating the proper standards to establish for other cereals. When the work of this department is completed, a uniform standard for all grain will have been established, and the only question open for discussion or legislation is the question as to whether the necessity exists for the United States Government to pass any legislation to enforce these standards.

At page 5347 of the Record he quotes the St. Louis Merchants' Exchange as being in favor of his bill. This is the quotation:

That the Merchants' Exchange of St. Louis favors the enactment by the United States Congress of such laws as will place the inspection and weighing of grain under Federal control, under such conditions as will insure (1) uniformity of grading, so far as practicable; (2) the preservation of the individuality and the interests of the various markets which have been built up by their own efforts; (3) a square deal to all concerned.

That is quoted as favoring this Federal inspection bill now before Congress.

Mr. President, I do not know what the telegram was which the Senator received, but I am in receipt of a telegram which is in *hec verba* the same as the Senator read into the Record and which I have just read, but it contains this additional



statement, beginning just where the Senator left off in his reading:

On February 25, 1914, on instructions of the board of directors, I wrote you and Senator STONE asking you to oppose the McCumber bill, as we were in favor of Federal supervision of grain, the later action of the board being in line with the recommendation of the Grain Dealers' National Association.

Mr. President, that puts a different face on the matter—"Federal supervision" as opposed to "Federal inspection." The Department of Agriculture has already undertaken, in a measure, Federal supervision; that is to say, the establishment of grades and the securing by the various boards of trade and State grain boards of the adoption of those grades. That is Federal supervision, but it is a very different thing from ousting those who now make the inspection and putting in a lot of Government employees to take their place.

So in so far as the indorsement of the Merchants' Exchange of St. Louis is concerned, instead of being an indorsement it was a condemnation of this bill. Instead of favoring the bill they opposed it; and I presume since the Senate put this witness upon the stand and brought in this resolution and urged it as a reason why we should pass his bill he must admit that the opinion of the Merchants' Exchange is of some virtue and force, and therefore he can scarcely be heard to deny that it is opposition to his bill which ought to be harkened to.

The Senator quoted another authority in his speech. He read from the testimony of one Mr. Beall. The quotation will be found in the RECORD at page 4910.

I want now to give a little of the testimony of Mr. Beall, of Kansas City, Kans. I asked the Senator from Kansas if he knew Mr. Beall, and the Senator spoke very highly of the gentleman and of his truthfulness; and, so far as I know, he is telling the truth here. I want the Senator from Illinois to listen to his statement:

Mr. BEALL—

Quoting:

"In connection with the statement that the last witness has just made in reference to the efforts of the farmers to establish their own commission house, I want to say that the farmers of the State of Kansas in 1905 organized a grain company to be located at Kansas City for the purpose of handling their grain."

I want the Senator to listen carefully, because this will answer his statement that the States are always able to bring about exact justice and see that the people of the country get justice at their hands.

Quoting again from the witness:

For the benefit of the Senator from Kansas, I will say that these gentlemen were composed of such men as W. T. Harris, of Solomon, president of the Citizens' State Bank there; S. H. McCullough, a large farmer; E. M. Black, down at Preston; and a number of other good men throughout the State. They organized this company and started doing business.

Senator LONG. What was the name of the company?

Mr. BEALL. The National Grain & Elevator Co. They started doing business in Kansas City, Mo. The Kansas City Board of Trade immediately passed a rule prohibiting its members from trading with this company in any manner whatever, the penalty for doing so being expulsion from their board and the loss of something like \$3,000 or \$4,000 as the price of a membership. So that the farmers in Kansas shipped altogether to this company in Kansas City, Mo., about half a million bushels of grain, which they were compelled to forward on a declining market to other points for sale, at a loss of something like \$15,000. The National Grain & Elevator Co. are now suing the Kansas City (Mo.) Board of Trade under the antitrust law of that State for three times the loss they sustained, or about \$45,000.

That testimony is seven years old. But who is this Mr. Beall, whose testimony is thought to be so important as to bring it in here to the Senate and on it ask us to pass a law that will affect the entire course of trade as to all the cereals of the United States produced upon our vast acreage by all our farmers? Who is he? Here is a telegram, dated March 18, in response to an inquiry as to who Mr. Beall is:

Suspended May, 1905—

Just about the time he gave this testimony, or shortly prior thereto—

for violating rules—

That is, suspended from the board of trade for violating the rules of the board of trade—

by refusing to comply with an arbitrary decision. His membership subsequently sold. Proceeds used toward settling debts. He sued board for damages. Never pushed trial. Was associated with Christie on Kansas side. Was at one time found guilty, and admitted plugging 18 cars wheat at Diamond elevator.

That comes from a responsible man.

Mr. President, of course the committee and, of course, the Senator from North Dakota, when they quoted this man's testimony and relied upon it, did so in the best of good faith; but the vice that springs always from taking the unsupported statement of one man, without ascertaining who he is or what the motives which impel him or the objects which inspire him, is herein well illustrated.

Here was a man who refused to comply with the board of trade rules; here was a man who started a rebellion, who after he was ousted from the Kansas City Board of Trade undertook

to start an organization in Kansas of an irregular character; and that man is brought before a committee of Congress and his testimony listened to and accepted as a verity. Instead of ascertaining the general condition, instead of ascertaining not what one man might say but what many would say, instead of finding out the regular and general course of trade and business, we are confronted with the statement of one man, whose mind was poisoned by rancor, hatred, and malice, whose motive was revenge, and who had admitted the charge that he had plugged 18 cars of wheat.

Mr. President, I want now, having, I trust, stripped this structure of these incompetent and rotten props, to consider some other statements contained in the report. I am sorry to say that in many other respects the report appears to be mistaken as to its deductions, its conclusions, and its facts. I have just read the statement that grain would be started in Kansas as No. 2, and get to Missouri and be graded No. 3, and get to Chicago and be graded No. 4, and get to New Orleans and be graded nothing, and get into the hands of the trust shipper, whoever he may be. I take it he is a bit of legislative imagination; I know of no such individual; but when it gets into his hands, this report states, it goes back to No. 2. In the meanwhile everybody along the line has been swindled. This report says or it leaves the inference that the farmer is the man who has been swindled; but, ah, that will not bear analysis for a minute; and why? Did the farmer own this grain and have it graded as No. 2 in Kansas? Did he then haul it to Kansas City and have it graded as No. 3, still owning it? Did he then haul it on down to Chicago and have it graded as No. 4, still owning it? Did he then haul it down to New Orleans and have it graded as nothing, still owning it, and then did this poor, unfortunate farmer sell it to the trust dealer, whoever he may be, and that gentleman run it up to No. 2 grade? Did that happen? If such an instance as that ever happened that grain had passed out of the farmer's hands at the elevator, upon the sidetrack, of his own home country; or if he did not sell it there, he at least sold it when it got to Kansas City.

Now, when it got to Kansas City it got into the hands of a grain dealer. Would that dealer at Kansas City, abundantly able to take care of himself, submit to having his grain that was No. 2 grain marked down to No. 3 in Chicago? Do you not think the Kansas City man would have been in Chicago the next morning asking why he had been plundered? Why, sir, that Kansas City grain man would have emitted a western war whoop that would have made the vessels bob up and down on Lake Michigan. Again, do you suppose that your Chicago man, having purchased that grain as No. 3, and sending it on down to New Orleans, would submit to have his No. 3 wheat, which was in fact No. 2 wheat, graded "no grade," and that he would quietly sit down, supinely fold his hands, while he was being robbed? Everybody knows the man from the "Breezy City" would take the first train for New Orleans, armed with a meat ax, and accompanied by his lawyer.

You are not dealing, I say to Senators, with helpless farmers. This bill deals with men who are engaged in handling grain; it deals with men capable of taking care of themselves. This talk about the innocent farmer having his grain graded five or six times is moonshine. Salina, Kans., seven years ago put something silly of that kind, by way of illustration, into a resolution, which probably was not considered by anybody, but the resolution does not establish the fact. That repudiated resolution, dusty with age and rotten with untruthfulness, we are now asked to make the basis of legislation that will affect the entire country.

Here is what Mr. Frank G. Crowell, one of the most honorable men in my State, whose name is a synonym for integrity, who is a grain expert of the highest order, has to say:

We do not think there is a case on record where barring untoward conditions, such as damage to grain in transit in such manner that the grain may have been exposed to the elements, etc., a car of wheat justifying a grade of No. 2 in the State of Kansas, has shown a lower grade in the State of Missouri, a still lower grade in the State of Illinois, and in New Orleans has been graded as "No grade." The inference intended to be drawn is that a car of wheat grading No. 2 at point of origin, and without suffering any deterioration in transit, can be graded under the present system "No grade" at destination. With the establishment of the uniform grades in the various market centers that now exist, and the adoption of the standards as fixed by the Department of Agriculture, the statement made in paragraph 1 of the report of this committee is simply a figment of the imagination and can not be supported by the facts.

You do not need to read that statement to know that the Palma resolution can not be supported by the facts. You might as well say that a man selling woolen goods from a factory in the State of Massachusetts would, if the purchaser in the State of Missouri declared that the goods were bad, accept the statement of the purchaser and settle in accordance with his de-



mands. The Massachusetts man, being a man of common sense and business acumen, would insist upon his rights, and the owner of a cargo of grain is not going to submit to robbery in that way. It is true if an individual farmer shipped one wagon-load of grain he would have to submit, because there would not be enough involved to pay him to make a contest, but he would never ship again to that market, and no market dare maintain conditions of that kind.

But, I repeat, it is not the individual farmer with whom we are dealing. We are largely dealing with corporations that own big elevators and possess abundant capital. They are in the business for money; and you might just as well try to rob one of those gentlemen as to rob a Yankee in a trade of jack-knives.

Mr. MARTINE of New Jersey. I should like to inquire, Mr. President, just where the line is drawn which differentiates the Yankee from the other classes of our countrymen?

Mr. REED. Well, I do not know, Mr. President. It is a general term. I once heard of an old Hebrew, a very good and kindly disposed old gentleman, who had made his fortune in trading out in Chicago. When his son got to be 21 years of age, in accordance with the good old Hebraic custom, he proposed to start his boy in business. He called him to him and said, "Now, my son, I am going to give you \$50,000; but if you stay out here in Chicago among these sharp people they will beat you out of it. I want you to go down into the New England States—that is a pastoral, simple people down there—and engage in business. When you get some business experience, then come back here where the smart people are, and you can trade with them." In about three weeks the boy called the old gentleman up on the long-distance telephone and said, "Father, I want \$50 to come home on." [Laughter.] The father said, "My heavens, boy; what has become of that \$50,000 I gave you?" The boy replied, "Father, they got it all away from me." The father said, "What, that pastoral people got your money away from you?" The boy replied, "Pastoral people, the devil. This is the 10 lost tribes of Israel." [Laughter.]

Mr. President, I know that I ought not to encumber the RECORD with a story of that kind, but it illustrates the general estimate of the New England people. I am wandering from my subject, and beg pardon for having done so. I come back to this statement of Mr. Crowell's. He says:

Of course, under any system of inspection, whether Federal, State, or board of trade, there will always be a difference of opinion of the various inspectors in applying the fixed standards in grading the car "in" or "out" of a market, but an instance of the kind referred to in paragraph 1 of the report has never occurred and never will occur under the present system of inspection existing in the United States.

And, of course, it can not. While I have already discussed the proposition contained in paragraph 2, I want to put into the RECORD at this point the observations of Mr. Crowell. They are as follows:

The statement made that under State laws or board of trade rules, that parties interested as purchasers at the great terminal markets dominate and control all rules regarding the handling of grain, its inspection, and grading, is a reflection upon the honesty, integrity, and ability of every State inspection department and of every board of trade inspection department and is absolutely untrue and libelous. The price of grain is not dependent solely upon the grade it receives; color, weight, and condition are potent factors, and any daily market report or any market center will show, for instance, that No. 3 wheat of a certain kind and texture has sold at a substantial premium over No. 2. It is not true that the purchasers at the terminal markets dominate and control the rules governing the handling of grain, its inspection, etc. The sellers of grain at the various exchanges, through their representatives, the commission men on the floor, outnumber the purchasers 2 to 1. Their one interest is to see that the highest possible price is at all times obtained for the grain entrusted to them by their principal, and the rules and regulations governing the handling and inspection of the grain absolutely protect the interests of their shippers.

The author of the report charges that the purchasers and their representatives dominate all the terminal markets, as if the terminal markets consist solely of purchasers to the exclusion of all other interests; but this is not a fact, as even the slightest familiarity with the manner in which grain is sold on the grain exchanges would show. The States, through their representatives, see to it that impartiality exists in the grading of grain, both upon the grain shipped into the market and shipped out of the market. The sellers of grain have, therefore, a two-fold protection—their commission man or agent representing them in the selling of their grain, and impartial action of the State and boards of trade inspection departments.

That is in exact consonance with what I said, but is perhaps more tersely and better stated. Mr. President, it has to be so. You can not run dens of robbers in this country and continue to transact a great volume of business, constantly increasing and growing as the years go by.

Now, referring to paragraph 3 of the report, I will read what this gentleman states. Paragraph 3 is as follows:

(3) The appointment of inspectors and the fixing of grades are under the control of the boards of trade. The relation between the inspection and grading power and the purchasing interest is most close and intimate.

I have already commented upon that, but I shall put in at this point the comment of Mr. Crowell. He says:

3. The selling interests, or the representatives of sellers on all boards of trade, have just as close and intimate relation to the grading and handling of the grain as the purchasers. The States in many instances, as at Kansas City, Chicago, Minneapolis, St. Louis, etc., fix the standards and inspect the grain through their official representatives.

And yet here is a report solemnly telling us that one side to all board of trade deals, viz, the buyers, names inspectors, fixes the grades, and thus defrauds all others engaged in the trade, when the fact is that in all the principal markets—that is, in the greatest markets—there is State grain inspection, and in the other markets there is an inspection which from the very nature of things must, in general, be honestly conducted.

The fourth paragraph of this report I have already commented upon; but again I want to put in the statement of Mr. Crowell. The fourth paragraph reads:

(4) Appeals from the decision of inspectors are almost invariably taken to a board of appeals composed of persons who are either directly or indirectly interested in the purchase of grain, from the inspection of which the appeal is taken.

I have already commented upon that, and shown that it is not true; but here is what Mr. Crowell says. Of course, being an honorable member of a board of trade, never having been dismissed, never having "plugged" any cars, his views may not be worthy of consideration; but just putting his statement in here as that of an ordinarily honest man, under the severe handicap of having transacted business so that he has kept out of jail, and the further disadvantage of not having been tried and expelled by his own exchange, I submit his observations, which are as follows:

4. Appeals from the decision of inspectors are not taken to a board of appeals composed of persons who are directly or indirectly interested in the purchase of grain. Investigation will show that on all committees of appeals the representatives of the sellers are fully represented, and in a large number of cases constitute a majority of the appeals committee. It must be borne in mind that every buyer of grain ultimately becomes a seller of grain.

That fact entirely escaped the committee that for six years gave profound study to this bill. The committee also overlooked the fact that every member of a board of trade who buys a thousand bushels of grain is as certain to sell that thousand bushels of grain as he is to live; that, speaking broadly, he has to be on both sides of the market every day of his life; that his business consists of a stream of wheat and corn and rye and oats and barley coming in, which he buys for himself or as the factor of another; and that upon the same day or the next day the stream flows out, the board of trade man in this instance selling for himself or as the factor of the man for whom he bought the day before.

To assert that men so situated could engage in a conspiracy to create a board of appeals that would discriminate against the seller is to assert the absurd, because the conspirators would only be stealing money out of one pocket in order to put it into another pocket, and in the meantime would be engaged in a felony out of which he could not profit a penny. On the contrary, he would only succeed in destroying his own business, his market, and in utterly discrediting himself before the world.

Paragraph 5 of the report reads:

That the inspection and grading departments at these great terminals are subservient to and dominated by the great elevator interests is established beyond question.

It is hardly necessary to refer to that, and I pass on by simply submitting Mr. Crowell's remarks. He says:

(5) The inspection and grading departments of terminal markets are not subservient to and dominated by the great elevator interests. These departments work absolutely independently of any interests represented and their grading is as impartial and as uniform as it is possible to make it. The charge that the great elevator interests dominate the inspection of the State and board of trade departments can not be borne out by the facts, and there is no reason why a State inspector could not be and is not as fair and impartial as a Federal inspector.

Mr. President, I know the grain inspectors of my State. They came, for the most part, from the farms or small towns which are in close touch with the farming communities of the State. They were brought to Kansas City and St. Louis, the two terminal markets of the State, and were trained until they became experts in the grading of grain. They retain their old residences out in the State; they count themselves as still residing in the old home counties. They are in constant antagonism to the demands of the selfish interests, and they have no cause to serve except that of justice. If they should fail to faithfully observe the rules and regulations of the State department they would lose their positions and bring themselves into contempt and disrepute. I am sorry that a report should be filed here containing these aspersions upon thousands of men who honorably perform their appointed tasks.



I come to paragraph 6:

(6) As a result of this domination and control has grown what is known as a system of rigid and easy inspection; that is, rigid inspection into the elevator and easy inspection out.

Again, I say that a moment's consideration will show that that position can not be well taken. The man who buys the grain out of the elevator is as likely to be a board of trade man representing himself or representing some other man as is the man who puts the grain into the elevator. To assume that grain in great quantities can be graded into an elevator "rigidly," thus defrauding the seller, and then be graded out "easily," thus defrauding the purchaser, is to ignore the fact that the purchaser is right in the very market and has an office side by side with the seller and that he is a competent, skillful man. Further, the assumption impugns the integrity of every State grain inspector, to say nothing about unofficial inspectors.

Mr. Crowell, commenting upon paragraph 6 of the report, makes this statement:

Inspections out of any elevator are just as rigid as the inspections in, and many years have passed since a custom has prevailed such as outlined in the report, whereby an elevator could control an easy inspection "out" and a rigid inspection "in."

Mr. President, in that connection I call attention to what the committee claim is a demonstration of this statement. By a table, which is printed on page 3 of the report and which purports to set forth the number of bushels of wheat put into an elevator of certain grades and the number of bushels taken out, they claim to have demonstrated that the grain was graded in lower than it should have been and taken out higher than it should have been. This "demonstration" is dwelt on in the report; it is the Gibraltar of the committee. Here the champions of the bill range themselves. This is their bombproof fortress from which they assert no power can expel them.

What is the fact? The committee overlooked the simplest proposition in the grain business; which is, that grain may grade into an elevator as No. 4 and may actually come out as No. 3 or No. 2 or No. 1, and that the inspection in both instances may be absolutely correct. Why? What makes the grades of wheat? The fact that wheat grades low does not mean that no part of the wheat is good and sound, but it does mean that the good wheat is mixed with dirt, weed seeds, or blighted grains. It may be underweight or have other defects. If the percentage of defective or false materials is large, the grain grades low, although the berry may be as perfect as any that ever grew. All that is necessary to do in order to raise the grade is to remove the defective and false materials, and the residuary is good wheat and entitled to a high grade. Just take a gross illustration: Suppose you take a bushel of absolutely perfect No. 1 red wheat, and mix with that bushel of wheat a bushel of weed seeds. You would then, by measure, have 2 bushels; but would you expect anybody in the world to grade those 2 bushels as No. 1 wheat? Such a ruling would compel the purchasers to pay the price of No. 1 wheat for a bushel of weed seed.

Mr. SMITH of Georgia. Will the Senator allow me to interrupt him?

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

Mr. REED. Certainly.

Mr. SMITH of Georgia. Do they reduce the quantity as they raise the grade?

Mr. REED. Certainly.

Mr. SMITH of Georgia. They raise the grade and reduce the quantity by cleaning out the chaff. That is the Senator's argument?

Mr. REED. The chaff and other material.

Mr. SMITH of Georgia. And other objectionable material?

Mr. REED. Sometimes they do not even have to appreciably reduce the quantity; I shall come to that in a moment. Returning to my illustration, when that 2 bushels of wheat and weed seed is delivered at the elevator, it probably would be reported as "no grade." But when the elevator man puts it in his separating apparatus and takes every bit of the weed seed out of it, then what have you left? You have a bushel of No. 1 red wheat and you have a bushel of weed seed. The thing that determines the grade of wheat is the degree of foreign material that is found in the wheat, together, in some instances, with certain other deleterious conditions which I will hereafter advert to, among them being the amount of moisture, color, broken grains, etc.

Again, let me give the Senator another illustration. It is the commonest thing in the world to find this sort of condition: Here is a wheat field 160 rods long; a part of the swathe which you are going to cut is down in the valley, part of it is on the side of a hill, part of it is in a swale, and part of it may be

where the soil is light. As you run your reaper you may cut wheat affected by black rust, wheat that is blighted, wheat partially developed, and wheat that is absolutely perfect. You have cut from every kind and quality of wheat in that one swath. It all goes through the thrashing machine and comes out together. You have now four or five grades of wheat, some of it absolutely worthless, some of it of slight value, some of it of a medium value, and some of it is perfect wheat. When this wheat goes into an elevator it is the business of the elevator to separate the good from the bad, to put the chaff in one place, the weed seed in another place, the black-rusted wheat in another place; so that, while the mixed material could not be graded as better, perhaps, than No. 4, a part of the separated material may properly be graded No. 1.

The separation and improvement of grain is the ordinary business of an elevator. That is what an elevator is for. Why, if the Senator from Georgia please, you find that in some instances they actually wash the wheat with water. There are some States where there are a great many wild onions which taint the wheat. If the wheat goes into the mill unprepared, the taint of the wild onions follows the flour and it is not fit to use. In cases of that kind, as well as in other instances, they wash the wheat with water and dry it quickly and produce a fine, perfect flour from it. Yet because the elevators have been doing that, because they actually have been improving the product of the farm, because they have been giving value to that which had no value or but little value, because they have been making fit for food and for the market that which theretofore was not fit for food or for the market, they are denounced here as a lot of scoundrels who when they grade wheat in at one number and grade it out at another are guilty of fraudulent practices.

If the Senator will examine the table that is found here on page 3 of the report, he will find from the figures that there was a diminution of the amount of grain. The Senator from Oklahoma [Mr. GORE] suggests, in his usual pointed way, that the rule the committee is applying here would bar a wool dealer from washing his wool, lest having improved it by scouring he would at once be liable to the charge of skullduggery, when all he was doing was removing the grease and dirt.

Take this very table that is exhibited in the report. It shows receipts of 890,245 bushels and shipments of 877,512 bushels, showing a net diminution in quantity of 12,733 bushels, which is stated here as "on hand, estimated"; but it can not be estimated as wheat on hand. It must be "estimated" as a certain amount of material.

Mr. President, I want to drive this point home. I want to leave no doubt about it. I hold in my hand the rules of the State board of Missouri, and I invite the attention of the Senators who are here to these rules. They show upon their face why grain going into an elevator at one grade may come out at another grade.

I will take the red winter wheat specifications:

No. 1 red winter wheat shall be pure, soft, red winter wheat, of both light and dark colors, dry, sound, sweet, plump, and well cleaned, and weighing not less than 60 pounds to the measured bushel.

Contrast that with No. 3:

No. 3 red winter wheat shall be sound, soft wheat, not clean or plump enough for No. 2, shall not contain more than 8 per cent of white winter wheat—

It allows a mixture of another wheat with it, because the wheat has been mixed in the field—

and weigh not less than 55 pounds to the measured bushel.

You see at once there is a difference of 5 pounds in weight, and that 5 pounds is accounted for very frequently by the foreign material, the chaff and the dirt, which is in the wheat. There is 5 pounds allowed there; and, of course, if you take out the imperfect wheat until the remainder weighs 60 pounds to the measured bushel you have a wheat that, so far as weight is concerned, grades No. 1.

Now, take No. 4:

No. 4 red winter wheat shall be soft red winter wheat; it shall contain not more than 8 per cent of white winter wheat; it may be damp, musty, or dirty, but must be cool, and weigh not less than 50 pounds to the measured bushel.

There is a loss of 10 pounds allowed for, and musty wheat is allowed for, and dirty wheat allowed for; but when you take out the dirt you have taken out one of the elements which reduced the grade. When you take out the light grains, as they can be taken out by the draft process, you may again raise the grade of the wheat; and if there is no must there that can not be gotten rid of, it is possible to transform that wheat into a No. 3 wheat or possibly even into a No. 2.

Mr. SMITH of Georgia. You raise the weight of part of the wheat and lower the weight of part of it.



Mr. REED. Why, certainly. You take a measured bushel of wheat; you take out of it all the shriveled grains of wheat, which make a light bushel. You take out the dirt, the chaff, the weed seed, and stuff of that sort, and you have left a less measured quantity, but what you have is the good which has been separated from the bad.

To take an illustration, suppose No. 1 apples were required to be free from specks, and suppose a farmer brought in a load of a thousand apples, and there were 100 specked apples in the load. The load would not grade as No. 1 apples, because the load is not free from specked apples. Suppose, however, the farmer should pick out every specked apple, and were then to return with nothing but 900 sound, good apples. Would he have perpetrated a fraud because he took out the bad from the good? Neither would the dealer who bought the load as No. 2 while it contained the specked apples be guilty of a fraud. And having bought as No. 2, he would not be guilty of fraud if, having thrown out the specked apples, he were then to sell the sound ones for No. 1.

That is all there is in this wonderful mare's-nest which it took six years to discover and which has led to the characterization of honest and decent men as rogues and scoundrels.

Mr. President, I do not want to conclude my remarks to-night, and if it is agreeable I should like to have this matter go over.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Is there objection? If not, the bill will go over.

Mr. McCUMBER. Mr. President, I did not understand the request.

The PRESIDING OFFICER. The Senator from Missouri asked that the bill might go over for to-night.

Mr. McCUMBER. It does seem to me as if we ought to go on at least until 5 o'clock. We adjourned over Saturday waiting for the Senator to return, and we have tried to accommodate him in many ways. It does seem to me that now, when others are crowding their bills upon the Senate, we at least ought to run on until 5 o'clock.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. REED. Certainly.

Mr. LODGE. I desire to speak very briefly on this bill, and if it will be agreeable to the Senator from Missouri I will speak now, and he can continue to-morrow.

Mr. REED. It will be quite agreeable to me.

Mr. SHIVELY. Mr. President, I wish to give notice that we expect to have a brief executive session to-night.

Mr. LODGE. The Senator will allow me to conclude what I wish to say?

Mr. SHIVELY. Certainly. I am just giving notice of the executive session.

Mr. LODGE. Mr. President, the case in opposition to this bill has been argued so thoroughly by the Senator from Illinois [Mr. SHERMAN], the Senator from Minnesota [Mr. NELSON], and to-day by the Senator from Missouri [Mr. REED] that it would be a work of supererogation for anyone to attempt to add anything to it. I should not detain the Senate at all were it not that there are some views in opposition to the bill which are held very strongly by persons interested in the question in my State which I feel it to be my duty to lay before the Senate.

Of course, in New England, and in my State particularly, we are consumers of grain, and we are also exporters of grain. There is a large export of grain from the port of Boston; and we have an inspection and supervision there under the chamber of commerce which, I believe, is the system in use in some other States where there is no State inspection.

I wish briefly to lay before the Senate some of the objections which we find to this bill. I do not know precisely what amendments are intended to be proposed, if any; and in what I am about to say I shall deal with the bill as it appears.

Mr. GORE. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Oklahoma?

Mr. LODGE. Certainly.

Mr. GORE. I should like to call the Senator's attention to the fact that I have offered a substitute for the pending bill, which I will present to the Senate for a vote later on.

Mr. LODGE. Yes; I understood the Senator intended to offer a substitute; but I merely wish to say that my objections, such as they are, are submitted as against the bill reported by the committee and now before us.

Section 8, in lines 5 to 13, provides in effect that when a carrier receives grain to be shipped in interstate commerce, said carrier shall within 24 hours notify the chief grain inspector at the point of destination of the shipment of grain that such

grain is in its hands for shipment. When such shipment is made from certain designated cities, as noted in section 2, there must be inspection at such originating point.

The same section, beginning with line 21 and running to the end of the section, states that the inspector at the point of destination of such shipment, upon receipt of the notice from the carrier mentioned in the clause to which I referred, must inspect the shipment of grain referred to in the notice. It is therefore seen that no choice is left to the chief inspector at the point of destination of the shipment, regardless of what may have been done to the grain en route. His only orders are to inspect grain upon receipt of the notice. It seems to me that that would, in many cases, lead to duplication in inspection.

I know the argument has been made that section 8, lines 14 to 20, obviates the need of inspecting grain the second time—for instance, at Boston, if it has already been inspected at Chicago; but I am not clear that that is the case. It merely states that it shall be unlawful to unload grain that has not been inspected. It does not state clearly that there need not be two inspections nor does it seem in any way to controvert the other provisions of the section. Therefore I think there is some ground for the criticism that there is an ambiguity in the provisions for the inspection of grain.

I now come to the second point—the impracticability of enforcing the proposed law. I take, of course, an illustration from my own part of the country, about the conditions of which I have been informed and with which I have some familiarity.

About 60,000 to 100,000 cars of grain annually enter New England. Of this number only three or four thousand are inspected. This shows how very little the usages of the trade require inspection at destination. To inspect this small proportion of the total number of cars coming into New England annually a force of from six to seven men is required. As inspection is always required at the end of the haul, a force of at least ten times the number now employed would be necessary properly to inspect the grain under this bill.

It is not easy to get a competent inspector; and to get a force of the size that is thought by those familiar with the grain trade in my State to be necessary would take time, if it would not be impossible to obtain it. The Government certainly would have to have inspectors of the highest ability, for it would not be willing to lower the existing standards of inspection. In view of the fact that it is a matter of common knowledge in the grain trade that first-class grain inspectors are hard to find, it is felt by those who are interested in dealing in grain at Boston—and, I think, in New England generally—that it would be very hard to get suitable inspection.

The difficulty of getting inspectors, which is more serious in the East than in the West, would lead probably to delay and possibly to deterioration of the grain, and consequent loss to the owner. It would give rise, as is set forth by the chamber of commerce in their statement, to demurrage charges, for the railroads could not be expected to allow their cars to be used as grain elevators without some reimbursement. They state, and I believe correctly, that under the present system a dealer can usually avoid such a demurrage charge, as he is a free agent; but under the system proposed in the bill it is perfectly conceivable that an inspector might require several days to reach a given point, and thus the owner of the grain, through no fault of his own, would be forced to pay to the railroad charges for storage.

Then there would be the diversion of cars in transit to points where an inspector was ready, in order that such contingencies as I have spoken of might be avoided. This would tend to handicap the prompt movement of cars, to congestion of terminals, to additional cost of operation to the railroads, and to a shortage of cars by tying up equipment, followed by a general holding up of the trade in the New England region. I am speaking of that region, where grain elevators are not so plentiful as they are in the West and where, as I say, we are a consuming and exporting community.

The effect that is most feared in New England and in Boston is the needless interruption of business, and practically the imposition of a tax which is not called for by the usages of the trade. I will give an illustration furnished me by the Boston Chamber of Commerce.

At the present time traders on the floor of the Boston Chamber of Commerce buy "Daugherty's oats," as they are called. They have been buying them for years, and they know just what sort of oats they will get. They are perfectly content to take the oats on the trade name. This is also true of many other brands and kinds of grain. Under this law it is compulsory that the grain shall be inspected—a procedure which the



trade cares nothing about, and which, in fact, it does not desire. So a tax is levied upon the trade for a totally unnecessary process, and the profits of the business are decreased.

In connection with this sort of trading, it must be remembered that grains of this sort are never subjected to inspection, because the usages of the trade have never found such inspection desirable. A man may buy a carload of corn at Palmer, a town in my State, to be shipped to his farm at Durham, N. H. He wants this corn for his own use, and does not care in the slightest about getting it inspected. In fact, he would prefer not to have it inspected, as it would involve a charge and a delay for something he does not desire. Being an article of interstate commerce, however, this carload of corn must be inspected before it can be unloaded at Durham.

I know it has been argued that under this bill a double inspection is not required; but it does seem to me, after such examination as I have been able to give to the bill, that it would be necessary, if you attempted to follow out the law strictly, in many cases. If, however, for the purposes of argument we assume that double inspection is not required, that brings us to another objection to the bill which is very important to us on the seaboard; and that is, first, the lack of inspection at the point of export.

When buying grain under ordinary conditions the foreign buyer—and it is the foreign buyer with whom we deal in the seaboard cities like Boston—does not care what the condition of the grain was when it left Chicago if weather conditions were such that when it left Boston it was not in good condition; yet this is the sort of thing that can prevail under the provisions of the bill, as grain frequently changes in condition between the initial point and the point of export. Let us say that the corn is in good condition, as shown by inspection, when it leaves Chicago. It goes to Galveston, whence it is to be exported to Liverpool. Section 13, however, states that—

Where grain has been once inspected thereunder, and remains unmixd with other grain, the same need not be reinspected at the place from which it is exported.

Clearly stating that since the grain was inspected at Chicago, it need not be reinspected at Galveston. If, however, the corn heats, as is often the case, I am informed, on the trip to Liverpool, because of an undue amount of moisture, such an inspection as the one at Chicago is not of the slightest information to a foreign buyer unless he knows, in addition to his knowledge of the condition of the grain when it left Chicago, what its condition was when it left Galveston.

Then there is the question of the responsibility for inspectors' errors. That is a matter which is of very great moment to our people in Massachusetts. I will take an example given me by the chamber of commerce.

Grain is shipped to Boston from the west as No. 2. When it reaches Boston, the Federal inspector inspects it and says it is No. 3. The exporter has his contract to fulfill, calling for No. 2 grade, and as he can appeal only to the chief inspector, who might decide against him, and then to the Secretary of Agriculture, all of which would take up time, and as it is usually imperative that he have an immediate decision in his favor, as otherwise the boat will sail without his cargo, he is confronted with a choice of losses, as follows:

He may allow the boat to sail without loading a cargo, in which case he must pay for "dead freight" and suffer loss through suit for breach of contract; or he may ship the grain as a lower grade than stipulated in the contract, in which case he can be sued for nonfulfillment of the contract; or he may go into the open market and buy sufficient grain of stipulated grade, probably at a loss of thousands of dollars, with which to fill the contract.

Where we have a Government inspection in this way there is no redress. The exporter is exposed to all this loss, and has no redress in case the inspector has made an error. As it is at present, however, he does have redress against the inspectors of the chamber of commerce, if there is an error.

Mr. NELSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. Certainly.

Mr. NELSON. If the Senator will allow me for a moment, I desire to say that in connection with our State system of inspection in Minnesota the inspectors are required to give a bond to the State; and if any dealer is injured by the action of the inspectors, he can bring a suit on that bond, although it is a bond running to the State.

Mr. LODGE. Precisely.

Mr. NELSON. There is no such protection in this bill, however.

Mr. LODGE. Exactly. In the States where the State system of inspection exists the dealer is protected, the buyer or the seller or the exporter; and with us there is a responsibility which comes on the chamber of commerce and its inspection.

Mr. SHERMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Illinois?

Mr. LODGE. I do.

Mr. SHERMAN. I wish to state, in this connection, that under the statute of Illinois a like bond is required as in the State of Minnesota, furnishing complete indemnity.

Mr. LODGE. Mr. President, as to the effect of the grain inspection, there is a point made very strongly by those who deal in grain in Massachusetts.

Mr. REED. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Missouri?

Mr. LODGE. Certainly.

Mr. REED. I am sorry to interrupt the Senator.

Mr. LODGE. I yield very gladly.

Mr. REED. In the State of Missouri the chief inspector and all his deputies are required to give bonds similar in character to those referred to by the Senator from Minnesota.

Mr. LODGE. That secures the redress of which I spoke for the dealer and the purchaser and exporter.

Under the provisions of this bill there is to be a chief inspector and such deputies as may be necessary at Portland, Me., Boston, New York, Philadelphia, Baltimore, Chicago, Minneapolis, Duluth, Superior, Kansas City, St. Louis, New Orleans, Seattle, Tacoma, and San Francisco, and additional points in the discretion of the Secretary of Agriculture. If we are to have this regulation, with the burdens which it imposes, it seems only fair that every shipper who takes part in interstate commerce should bear his part of the burden, just as he should have his share of the profits. Thus, to take an example, grain moving from Peoria, Ill., not a point designated as one to have an inspector, would avoid the cost of inspection. Therefore corn moving from Peoria would be favored over corn moving from Chicago, a point where an inspection must be made. Of course, additional points may be designated by the Secretary of Agriculture, but that opens an unlimited vista of points for chief inspectors.

The bill provides for inspection of grain at certain designated points, and excludes many other points where the grain interests are entitled to equal privileges, where their interests lie. Business will not be compelled to go by way of certain routes. To avoid the granting of special privileges, it will be necessary to supply many thousands of points with inspectors to provide for all of the routing of grain, and that will entail enormous expense, which, of course, the grain will ultimately pay.

As to the foreign export trade, which is of the utmost importance to my constituency, I have seen and I have heard no argument which leads me to believe that this will effect any improvement on present conditions. In fact, in my judgment, Federal inspection could not help having an unfavorable effect on the export business in grain, for the reason that raising the standards of inspection—and it is safe to assume that it is not the intention of the bill to lower the standards—would decrease rather than increase our export business.

The foreign business in grain is very largely a business of trading in documents or contracts, and these contracts oftentimes pass through many hands before reaching the buyer who receives the shipment. Inasmuch as the trade abroad is handled in this way, it can be readily seen that raising the standards of grading would not improve, but would lessen our chances on export business, inasmuch as the standards already in force in this country are higher than those in force in any competing country, and it is a well-known fact that our grades of grain stand higher abroad than those of other countries. If our standards are raised still higher above those of competitors—and the old standards are already perfectly satisfactory, as experience, on the whole, during the past few years has proved—raising the grades can only result in lower prices to our farmers or a decrease in our export business. The surplus grain that we have to sell from this country can not be improved by grading, but the price that it brings can be materially lessened by grading it lower than it is now graded.

The varying climatic conditions in this country make it impossible to grade grain fairly under the same rules at all points, as no doubt would be insisted upon under Federal inspection. Long experience and strict supervision of the various boards of trade and chambers of commerce of this country have brought about, on the whole, satisfactory conditions for the



grading of grain; that is, as far as I can discover. The certificates of the Boston Chamber of Commerce in exports are accepted abroad. They are established. Our business has been done on those certificates. It is for the interest, of course, of the Chamber of Commerce and the export business from Boston to maintain a good inspection. Their business rests upon it, and we have been in the habit of selling abroad on those certificates.

Mr. President, here we have a system of inspection by States and by boards of trade and chambers of commerce which is working well. I do not mean to say that there are no evils in the system of selling and disposing of grain that can not be remedied, but I do think that it would be a great mistake to establish this huge Federal machine. We can not tell how many inspectors it will ultimately have. They will have to multiply inspecting points in order to give equality to all who are dealing in grain. To construct this vast machine and wipe out all the present system on which grain is inspected and sold, dislocating a business which is an enormously important one, upsetting our export trade and all our relations with foreign buyers, and which is an immense subject of export, as Senators are aware, and to do it by a law of this kind is a very great mistake.

If improvements are needed, or if it is thought that we shall give greater justice to the producer and improve our export trade by Government supervision, I do not know that there is any objection to that, though I think it should be carefully guarded. But certainly, Mr. President, I do not see any good reason for putting all this additional burden upon this branch of a business in which the people of Boston and my State are interested both as buyers for their own use and as exporters for the foreign trade.

Mr. NORRIS. Mr. President, I am interested to know whether there will be an increase of expense. It is claimed on the other side that it will cost no more to inspect the grain after the bill is passed than it costs now.

Mr. LODGE. I am not an expert on the subject.

Mr. NORRIS. Neither am I. I am trying to get information.

Mr. LODGE. I can only take the testimony of those who are familiar with the subject.

Mr. NORRIS. I wish to ask the Senator if the grain that is exported from Boston is inspected at Boston before it is exported?

Mr. LODGE. I understand it is all inspected under the provisions that apply in the case of other States or other boards of trade.

Mr. NORRIS. As a matter of fact is that grain inspected before it comes to Boston at some other point or points?

Mr. LODGE. I do not know. I do not know whether they would take a certificate from an interior point or not.

Mr. NORRIS. I wish to know if, under the present system, there is not sometimes double inspection?

Mr. LODGE. They claim there is none, but I do not know how that is. At all events the expense does not fall upon them.

Mr. WEST. Mr. President—

Mr. LODGE. I yield to the Senator from Georgia.

Mr. WEST. I wish to ask just one question before the Senator from Massachusetts takes his seat. He stated that this enormous expense for grain inspection would have to be paid by the grain of the country. Why is \$850,000 appropriated in the bill to pay the expense?

Mr. LODGE. That is, of course, for the Government machinery. I am speaking of the burden it places on the trade. They think it will lead, as I tried to show, to demurrage charges, and to serious losses by differences in the grading and to duplication of the grading, for which they will have to pay. They will have to pay for the inspection despite this large appropriation.

Mr. WEST. Does the Senator from Massachusetts think that the standardization could be kept up just as well by the States as by the National Government?

Mr. LODGE. I have no objection and I do not think anyone has any objection to the National Government fixing standards. I do not think there is any objection to that, but the objection comes to breaking down the whole inspection system and substituting a great machine of Federal inspection for it.

Mr. REED. The Senator from Nebraska [Mr. NORRIS] asked the Senator from Massachusetts as to the cost of Government inspection. The report on file estimates the cost at from 35 cents to 75 cents a car, and I think, if my recollection is not in error, strikes an average of 50 cents. I hold in my hand a letter, which I intend to introduce to-morrow, by Mr. John T.

Duvel, crop technologist, in charge of grain standardization. It bears date of to-day. In it he states:

On the basis of our investigations it is believed that the cost of inspecting grain outright by the Federal Government would be approximately \$1 per car to do the work thoroughly, and that it would take a total appropriation of not less than one and one-half million dollars.

Mr. McCUMBER. Has the Senator from Massachusetts concluded?

Mr. LODGE. I have concluded.

Mr. McCUMBER. I wish right here to correct an error that is made with reference to the cost and then I will answer the proposition made by the Senator from Massachusetts, a proposition which he admits almost in the beginning is based upon what he understands the bill to be and without reference to any proposed amendments. If the bill should be as he understands it to be, many of his arguments, of course, would be applicable. They are not applicable as I understand the bill to be and as I intend it shall be beyond any possible question before it leaves the Senate.

Mr. LODGE. I wish to say that, of course, I could not discuss amendments not reported by the committee and that do not appear in the bill.

Mr. McCUMBER. I so stated; but the amendments are to make certain what I intended the bill to mean. I had from the Chamber of Commerce of Boston the same letter the Senator speaks of, and also from New Hampshire, and I think from Vermont, and other New England States. I sent a copy of the bill with the proposed amendments, and a letter explaining its purpose, and when and where and upon what conditions under the bill the inspections would be had. I received a number of letters from those who are dealers saying that with that explanation and with those proposed amendments they are entirely satisfied.

But the particular thing I rose to correct at this time was the statement of the cost and expenses brought out by an inquiry from the Senator from Georgia [Mr. WEST]. The bill appropriates \$850,000. Before the Government can pay an employee who does the inspecting it has to have authority from Congress in the shape of an appropriation to pay that employee. The Government gets it back under the bill immediately or practically as rapidly as it pays it out. It gets it back in the fees that are charged, just as they are charged to-day, on each carload or bin of grain that is inspected.

I had an estimate made by the Agricultural Department, and the estimate was that 40 cents per carload would pay the entire expense. I had them make an estimate of the number of men who would be required. They gave me a statement showing the number of men now employed at all the great terminals to which we expect the bill to apply. They made their estimates upon that and upon the usual wages that are paid, and stated that \$850,000 would be necessary to pay about 650 men, who are now inspecting under the present system and who, under this system, would be taken over into the Federal system.

Mr. WEST. And it would not in the end cost the Government anything?

Mr. McCUMBER. It would not in the end cost the Government one penny, no more than it now costs the States. I have before me an estimate made from the State of Minnesota, for instance, in which, in charging I think only 25 or 35 cents a carload, there was over \$20,000 profit to the State of Minnesota. That went toward the payment of their expenses. I think 35 cents a carload will cover all the expenses, while under the present system the charges run from 35 cents up to 75 cents per carload.

Mr. WEST. Mr. President, I have been apprehensive that it would be somewhat like the Postal Savings Bank System—that it would not near pay the expense of running it.

Mr. McCUMBER. We have made an allowance for the extra cost which I admit exists in the conduct of business by the Government, and after making that allowance we arrive at \$850,000 as the probable expense which would have to be paid out; and it would be repaid. The bill provides that the fees paid shall be the same as those usually paid now under the several systems.

Mr. SHERMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Illinois?

Mr. McCUMBER. I yield.

Mr. SHERMAN. I want to inquire of the Senator from North Dakota if he knows of any department conducted by the Federal Government that is self-sustaining?

Mr. McCUMBER. I do not know many where the charges for the services are made upon the people served. In every instance, I presume, where that charge is made and where the law says it shall be self-sustaining, it probably will be self-

sustaining. This very bill provides that the amount of charge for inspecting per carload shall be sufficient to pay the expense of the conduct of the inspecting business.

Mr. SHERMAN. The Post Office Department is supposed to be self-sustaining, but it is not. It never has been, and it is not now.

Mr. McCUMBER. This service must be self-sustaining under the bill.

#### 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 8 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 21 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 29, 1914, at 12 o'clock meridian.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 28, 1914.*

##### UNITED STATES DISTRICT JUDGE.

Oliver B. Dickinson to be United States district judge for the eastern district of Pennsylvania.

##### UNITED STATES ATTORNEY.

Charles A. Karch to be United States attorney, eastern district of Illinois.

##### UNITED STATES MARSHALS.

John J. Bradley to be United States marshal for the northern district of Illinois.

Joseph Howley to be United States marshal for the western district of Pennsylvania.

##### POSTMASTERS.

###### GEORGIA.

John H. Hodges, Perry.

###### MARYLAND.

William E. Burke, Taneytown.  
Thomas J. Coonan, Westminster.  
Victor F. Cullen, State Sanatorium.  
Henry C. Lawder, Havre de Grace.  
William D. Lovell, New Windsor.  
Michael J. Tighe, Laurel.  
Millard H. Weer, Sykesville.

###### MASSACHUSETTS.

John L. Markham, Ayer.

###### MISSISSIPPI.

William C. Hill, Ellsville.

###### NEW YORK.

Hugh W. McClellan, Chatham.

###### OHIO.

Charles R. Musson, Arcanum.

###### OKLAHOMA.

Charles E. Howe, Gotebo.

###### PENNSYLVANIA.

John J. Remaly, Bath.  
Albert Smith, Shickshinny.

### HOUSE OF REPRESENTATIVES.

TUESDAY, April 28, 1914.

The House met at 12 o'clock noon.

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

We seek Thee, O God our heavenly Father, and pray with all the fervor of our souls for Thy sustaining grace, that we may be upheld and guided in the present crisis by Thy spirit, that whatsoever we are called upon to do may be done with vigor in the interest of humanity, that civilization may be advanced, and a world-wide peace be established on a firmer and more lasting foundation; "that nation shall not lift up sword against nation, neither shall they learn war any more," but each vie with each in the peaceful pursuits of life, in brotherly love and kindness; for Thine is the kingdom, and the power, and the glory forever. Amen.

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

#### VOCATIONAL EDUCATION COMMISSION.

Mr. HUGHES of Georgia. Mr. Speaker, I ask unanimous consent to call up Senate joint resolution 142, authorizing the vocational education commission to employ such stenographic and

clerical assistants as may be necessary, and so forth. This resolution was referred to the Committee on Education, which has reported it favorably.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Reserving the right to object, does this merely authorize the commission to employ stenographers to be paid for out of the appropriation heretofore made?

Mr. HUGHES of Georgia. That is the intent of the resolution.

Mr. FITZGERALD. Have they not that authority already?

Mr. HUGHES of Georgia. We thought we had that authority under the original resolution passed here January 20, but the Comptroller of the Treasury insists that this resolution be passed before he will agree to pay these expenses.

Mr. FITZGERALD. It does not increase the appropriation?

Mr. HUGHES of Georgia. It does not increase it. It simply gives them authority to pay for these stenographers and secretaries.

Mr. STAFFORD. In the original bill there is a limit on the amount of the appropriation?

Mr. HUGHES of Georgia. Yes.

Mr. MANN. Reserving the right to object, has this bill been reported by the committee?

Mr. HUGHES of Georgia. Yes; it is reported favorably.

Mr. MANN. This morning?

Mr. HUGHES of Georgia. This morning.

Mr. MANN. The gentleman can put it on the Unanimous Consent Calendar and reach it in the regular order next Monday, I think.

Mr. HUGHES of Georgia. I would like very much, indeed, if the House would act upon it to-day. It is something that ought to be done.

Mr. MANN. Every gentleman who has a bill would like to have it acted upon immediately.

Mr. HUGHES of Georgia. I will say to the distinguished gentleman that this is a case of emergency. These employees have been at work almost day and night, and we thought we had the right under the original resolution to pay them. They need their money.

Mr. MANN. The gentleman could have introduced a resolution some time ago and reported it, and had it considered by the House, but he did not.

Mr. HUGHES of Georgia. I would like to say to the gentleman that we thought this was covered in the original resolution, until the comptroller recently raised the question. This resolution was passed a day or two ago in the Senate, and referred to the House Committee on Education, and was acted upon by that committee this morning.

Mr. MANN. Personally I am in favor of the passage of the resolution; but I think it is a very bad practice, when the matter can be put on the Unanimous Consent Calendar and considered next Monday, to ask unanimous consent now, before the resolution has been printed as reported, to consider it in the House.

The SPEAKER. Is there objection?

Mr. HUGHES of Georgia. I wish the gentleman would permit this to be an exception.

Mr. MANN. I feel obliged to object to this method of procedure.

The SPEAKER. The gentleman from Illinois objects.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2696. An act providing for the removal of snow and ice from the paved sidewalks of the District of Columbia;

S. 2889. An act to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work;

S. 5031. An act quieting the title to lot 44, in square 172, in the city of Washington;

S. 4552. An act granting pensions and increase of pensions to certain widows and dependent relatives of such soldiers and sailors;

S. 4377. An act to provide for the construction of four revenue cutters; and

S. 3590. An act to make the appointment of pay clerks in the United States Navy permanent and to create the grade of chief pay clerk, and for other purposes.



## SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3590. An act to make the appointment of pay clerks in the United States Navy permanent, and to create the grade of chief pay clerk, and for other purposes; to the Committee on Naval Affairs.

S. 4552. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

S. 5031. An act quieting the title to lot 44, in square 172, in the city of Washington; to the Committee on the Public Lands.

S. 5289. An act to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work; to the Committee on the Merchant Marine and Fisheries.

S. 3696. An act providing for the removal of snow and ice from the paved sidewalks of the District of Columbia; to the Committee on the District of Columbia.

## ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 11269. 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;

H. R. 5487. An act to authorize an additional appropriation for the erection of the United States appraisers' stores building at Milwaukee, Wis.;

H. R. 122. An act authorizing the State of California to select public lands in lieu of certain lands granted to it in Imperial County, Cal., and for other purposes; and

H. J. Res. 204. Joint resolution authorizing the Secretary of Agriculture to make exhibits at forest products expositions to be held in Chicago, Ill., and New York, N. Y.

## THE LATE REPRESENTATIVE PEPPER.

Mr. KIRKPATRICK. Mr. Speaker, I ask immediate consideration of the following order, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

*Ordered*, That Sunday, the 3d day of May, at 12 o'clock, be set apart for addresses on the life, character, and public services of Hon. IRVIN S. PEPPER, late a Representative from the State of Iowa.

The order was agreed to.

## OLD TRAILS.

Mr. BORLAND. Mr. Speaker, I ask unanimous consent for a change of reference of the bill H. R. 2864, which is now before the Committee on Agriculture. I ask that it be referred to the Committee on Roads.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read the title of the bill (H. R. 2864) to be known as the Daughters of the American Revolution old trails act, to provide a national ocean-to-ocean highway over the pioneer trails of the Nation, thus making a continuous trunk-line macadam road from the site of Jamestown, Va., and from the city of New York, N. Y., to the city of Washington, D. C.; thence by way of St. Louis, Mo., to Gardner, Kans., and there to branch, one branch leading through Santa Fe, N. Mex., the other branch leading from Gardner, Kans., through Kearney, Nebr., to Olympia, Wash.; also to aid the States through which the highway herein described as the national old trails road shall run in extending, constructing, rebuilding, and repairing same.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] asks unanimous consent to discharge the Committee on Agriculture from the bill just reported, and to refer the same to the Committee on Roads. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask the gentleman whether the Committee on Roads would have jurisdiction to report such a bill?

Mr. BORLAND. I think so. The Committee on Roads seem to think so. The Committee on Agriculture, since the creation of the Committee on Roads, have disclaimed any jurisdiction over bills for the construction of roads or for the locating or improvement of roads or for Federal aid to roads in any form. This bill, being a bill for Federal aid to a particular road, is within the jurisdiction of the Committee on Roads.

Mr. MANN. I do not have the rule before me, but I am under the impression that the Committee on Roads under the rule can not report a bill for a particular road.

Mr. LEVER. I think the gentleman from Illinois is correct in his recollection. The Committee on Agriculture, however, has disclaimed jurisdiction of the bill, because since the creation of the Committee on Roads it has taken the position that it should not handle such propositions. As chairman of the Committee on Agriculture I have no objection to the bill going to the Committee on Roads.

Mr. MANN. If we could get a manual that was up to date, we would know what the jurisdiction of the committee was.

Mr. BORLAND. It seems that the Committee on Roads is the proper committee. There is no other committee claiming jurisdiction of this bill.

Mr. MANN. I know; but if the rule provides that the Committee on Roads can not report this bill, what jurisdiction has the committee got over it?

Mr. BORLAND. The gentleman is simply assuming that.

Mr. MANN. I am not assuming that—

Mr. BORLAND. My recollection is that the Committee on Roads have jurisdiction over Federal aid to roads, and that is the purpose of this bill.

Mr. MANN. My recollection is that the rule provides that that committee shall not report bills for a particular road.

Mr. BORLAND. I will say that the Committee on Roads presume that they have jurisdiction of this bill because they have conducted two hearings on the bill, but they have asked that the change of reference be made formally.

Mr. MANN. I have no objection to the bill being referred to the proper committee.

Mr. BORLAND. On what ground does the gentleman think that it does not fall within the jurisdiction of the Roads Committee?

Mr. MANN. My recollection is—I am not sure that it is in the rule—that that committee can not report aid for a particular road; that is must be a general legislation. I know the statement was made, and I think it was within the rule, although I am not sure about that.

Mr. LEVER. Mr. Speaker, my recollection of the rule and of the debates is in accordance with that of the gentleman from Illinois.

Mr. MANN. I have the rule now. It reads:

To matters relating to the construction or maintenance of roads, other than appropriations therefor, to the Committee on Roads: *Provided*, That it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road.

I take it that would give the committee jurisdiction.

The SPEAKER. Originally all the road bills went to the Committee on Agriculture, as far as I can ascertain. Both committees were claiming jurisdiction, and so the Chair took occasion to study the matter up and made up his mind to refer all roads bills to the Committee on Roads except those that came under that specific prohibition as to making appropriations. It really does not make much difference which committee it goes to, providing they all go to the same one. Without objection, the change of reference will be made.

There was no objection.

## LEAVE OF ABSENCE.

Mr. LENROOT, by unanimous consent, was given indefinite leave of absence on account of sickness in family.

## SARAH E. COATES.

Mr. LLOYD. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts.

The Clerk read as follows:

House resolution 479 (H. Rept. 591).

*Resolved*, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Sarah E. Coates, widow of Robert Coates, late a special employee of the House, an amount equal to six months of his compensation as such employee and an additional amount, not exceeding \$250, to defray the funeral expenses of said Robert Coates.

Mr. LLOYD. Mr. Speaker, this provides the usual allowance for the family of a deceased employee. Mr. Coates was a man who worked on the majority side in the cloakroom.

The resolution was agreed to.

## JAMES J. COATES.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 480.

*Resolved*, That House resolution No. 145, Fifty-ninth Congress, first session, be amended by striking out the name of Robert Coates and inserting the name of James J. Coates.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?



Mr. MANN. Reserving the right to object, I would like to ask the gentleman from Missouri how this House can amend a resolution of the Fifty-ninth Congress.

Mr. LLOYD. The appropriation act provided for this laborer in the cloakroom under the name of Robert Coates.

Mr. MANN. You may get authority under the law to put another man in his place, but this is to amend that resolution. We can not amend a House resolution of the Fifty-ninth Congress.

Mr. LLOYD. The amendment in this resolution is intended to provide for the son of Robert Coates, that he shall be named in place of his father and receive the same salary.

Mr. FITZGERALD. The way that that must be done is by a resolution designating the person.

Mr. MANN. I think the gentleman had better prepare another resolution.

Mr. LLOYD. This designates the person as James J. Coates, and that he shall occupy the same place that his father occupied. The resolution was prepared by the gentleman from Maryland [Mr. TALBOTT].

Mr. FITZGERALD. This House has no power to amend a resolution of a former Congress.

Mr. MANN. The resolution ought to provide that this James J. Coates, or whatever his name is, be appointed to fill the place under House resolution numbered so and so.

Mr. HOWARD. Why is there any necessity to indicate the name of the person to fill the place under the system now in vogue?

Mr. MANN. Because under the law it is necessary.

Mr. HOWARD. Does that perpetuate him in office?

Mr. MANN. Until the House removes him.

Mr. LLOYD. Mr. Speaker, according to the suggestion made on the floor, the resolution ought to provide that the place heretofore filled by Robert Coates shall be filled by James J. Coates.

Mr. FITZGERALD. I object.

The SPEAKER. The gentleman from New York objects.

#### NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14034, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14034) making appropriations for the naval service for the fiscal year ending June 30, 1915, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Recruiting: Expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties, \$130,000: *Provided*, That no part of this appropriation shall be expended in recruiting seamen, ordinary seamen, or apprentice seamen unless, in case of minors, a certificate of birth or a verified written statement by the parents, or either of them, or in case of their death a verified written statement by the legal guardian, be first furnished to the recruiting officer, showing applicant to be of age required by naval regulations, which shall be presented with the application for enlistment; except in cases where such certificate is unobtainable, enlistment may be made when the recruiting officer is convinced that oath of applicant as to age is credible; but when it is afterwards found, upon evidence satisfactory to the Navy Department, that recruit has sworn falsely as to age, and is under 18 years of age at the time of enlistment, he shall, upon request of either parent, or, in the case of their death, by the legal guardian, be released from service in the Navy, upon payment of full cost of first outfit, unless, in any given case, the Secretary, in his discretion, shall relieve said recruit of such payment: *Provided*, That authority is hereby granted to employ the services of an advertising agency in advertising for recruits under such terms and conditions as are most advantageous to the Government.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I want to ask the gentleman who has the information about the employment of advertising agents.

Mr. PADGETT. That has been carried for several years.

Mr. MANN. I am asking for the facts. What contract do we have now?

Mr. PADGETT. We have a contract with the advertising agency of Van Cleve & Clague, of New York and Chicago.

Mr. MANN. They place the advertisement in magazines, and so forth?

Mr. PADGETT. Yes; and get reductions in doing a general business which the Government gets the benefit of. They get the commission from the people with whom they do the advertising.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Any alien of the age of 21 years and upward who may, under existing law, become a citizen of the United States, who has served or may hereafter serve for one enlistment of not less than four years in the United States Navy or Marine Corps, and who has received therefrom an honorable discharge or an ordinary discharge, with recommendation for reenlistment, or who has completed four years of honorable service in the naval auxiliary service, shall be admitted to become a citizen of the United States upon his petition without any previous declaration of his intention to become such, and without proof of residence on shore, and the court admitting such alien shall, in addition to proof of good moral character, be satisfied by competent proof from naval sources of such service: *Provided*, That an honorable discharge from the Navy, Marine Corps, or the naval auxiliary service, or an ordinary discharge with recommendation for reenlistment, shall be accepted as proof of good moral character: *Provided further*, That any court which now has or may hereafter be given jurisdiction to naturalize aliens as citizens of the United States may immediately naturalize any alien applying under and furnishing the proof prescribed by the foregoing provisions.

Mr. WITHERSPOON rose.

Mr. MOORE. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. WITHERSPOON. Mr. Chairman, I move to strike out the last word. If the gentleman desires to make a point of order, I will yield.

Mr. MOORE. Mr. Chairman, is the gentleman from Mississippi recognized to make the point of order?

The CHAIRMAN. The Chair does not know for what purpose the gentleman rose. He rose and addressed the Chair, and the Chair recognized him.

Mr. WITHERSPOON. Mr. Chairman, I rose to move to strike out the last word.

The CHAIRMAN. The Chair would say this, that the gentleman from Pennsylvania [Mr. MOORE] was upon his feet addressing the Chair, and if he desires to make or reserve the point of order, he is in time.

Mr. MOORE. I merely desired to reserve the point of order.

The CHAIRMAN. The Chair holds that the gentleman is in time.

Mr. MOORE. Mr. Chairman, I am very glad to yield to the gentleman from Mississippi, so long as my rights are preserved. I am quite willing that the gentleman should be recognized.

The CHAIRMAN. The point of order is reserved. The gentleman from Mississippi is recognized.

Mr. WITHERSPOON. Mr. Chairman, I desire to present to the committee some facts developed in the hearings that I consider very material to an intelligent solution of the principal question to be decided in this bill. I have attempted to show that the American Navy is superior to that of Germany. Conscious of my liability to err, and supposing it to be possible that the facts which I presented to you, namely, that we have nine more armored vessels than Germany, that we have on those vessels 89 more guns, that our guns are much larger as to caliber, that our shells are more destructive—assuming that all of that does not prove that our Navy is superior to that of Germany, and assuming that it is not as powerful, I desire to now submit testimony drawn from the advocates of this increase in the Navy to show that even under that condition we do not need any more battleships. And to substantiate that position I desire to call attention to the testimony of Admiral Vreeland, given to your committee, as it appears on page 597 of the hearings. There you will find this to be his statement.

Mr. CALLAWAY. Mr. Chairman, before the gentleman begins, who is Admiral Vreeland?

Mr. WITHERSPOON. Mr. Chairman, he is one of the great admirals of the American Navy. He is now the ranking member on the General Board, and was brought before our committee at the request of one of the members who favors more battleships to give us the reasons why we should have them. It is the statement of Admiral Vreeland to which I now wish to direct your attention.

Mr. WITHERSPOON. Do you believe, Admiral, that foreign Governments in providing for the size of their navies are influenced by the question of whether their navies shall become more powerful than ours alone, or do they consider the question of how they stand with reference to all nations?

Admiral VREELAND. With reference to all nations generally. Often with special reference to one or two.

Mr. WITHERSPOON. Assuming that you are correct in your idea that the aggressor in a war is governed by his idea of whether he can win or not, would you not say that if Germany should ever contemplate going to war with us that she would seriously take into consideration what would be the probable effect of the result of that war, even if she could win, upon her relations to the other European nations that you say she has more apprehension of than us?



Admiral VREELAND. She would be guided somewhat by fear of other nations while at war with us.

Mr. WITHERSPOON. Not while at war, but if she thought that she could whip us on the seas and destroy our Navy, would she not still be restrained by the fear that she would lose so many of her ships in the engagement that it would make her unable to resist a conflict with other nations?

Admiral VREELAND. Yes, sir; she would be very largely governed by that.

Mr. WITHERSPOON. She would consider that very seriously before going into a war with us?

Admiral VREELAND. Yes, sir. I think that is one reason Germany is not trying to maintain equality with England. The thought you have in mind is doubtless the same as that expressed in the memorandum appended to the German naval bill, 1900:

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

Mr. WITHERSPOON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

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

Mr. WITHERSPOON. Mr. Chairman, here is the quotation from the German law:

"Germany must have a battle fleet so strong that even for the adversary with the greatest sea power a war against it would involve such dangers as to imperil his position in the world."

And, again—  
"But even if it should succeed in meeting us with considerable superiority of strength, the defeat of a strong German fleet would so substantially weaken the enemy that, in spite of the victory he might have obtained, his own position in the world would no longer be secured by an adequate fleet."

The CHAIRMAN. While Germany might be defeated, England would be crippled so that she could not rally?

Admiral VREELAND. Precisely.

So we learn from the opinion of Admiral Vreeland, and also from the view of Germany, as expressed in one of her laws, that as between Germany and England it is not necessary for Germany to have as strong a fleet as England in order to protect itself against England, for the reason that England knows that if she were to go to war with Germany, while she might win in the war, yet she would be so crippled as to imperil her position among the nations of the world, so that she would be no longer protected by an adequate navy.

At this point the gentleman from Illinois, my friend Mr. WILLIAMS, came to my relief and this occurred:

Mr. WILLIAMS. In determining the size or extent of our Navy you no doubt take into consideration our location with reference to the other powers, our isolation, and the extent of our shores, do you not?

Admiral VREELAND. Yes, sir.  
Mr. WILLIAMS. In view of that condition do we require so great a Navy, a defensive Navy, as those powers of Europe who are in direct touch and contact with other powers?

Admiral VREELAND. No; for the reason that any power coming 3,000 miles or more to attack us would not be able to bring all of its forces to bear.

Mr. WILLIAMS. What per cent of the navy, for instance, of England could be spared under ordinary conditions and complications in Europe to be sent to America to attack us?

Admiral VREELAND. I do not think she would like to spare any.

Mr. WILLIAMS. Could she, under ordinary conditions and complications, spare 50 per cent of her navy to come here?

Admiral VREELAND. I should say not—not without an understanding with the other powers.

Mr. WILLIAMS. Is that true also of Germany?

Admiral VREELAND. I should say that it is true also of Germany at the present time.

Mr. WILLIAMS. Is that true of France?

Admiral VREELAND. I should say that is true of France also.

Here is the testimony, not from this little Navy crowd but from Navy statesmen, telling you that no nation on earth could afford to send one-half of its ships against us in case of war with the relations existing between the countries of the world; and the necessity that each country is under to protect itself against its neighbors is such that if they are in a war with us, 3,000 miles away, not one of them could afford to send one-half of her ships against us. If that be the truth, and it seems to be the general idea—

Mr. CALLAWAY. Mr. Chairman, have any of these big Naval Committee men disputed that?

Mr. WITHERSPOON. Nobody. The testimony stands there in the record uncontradicted. If that be the truth—and I say it seems to be generally thought around here that unless a man is steeped in extravagance and afflicted with battleship hysteria, he can not tell the truth—if that be the truth, then what need have we for more ships? If Germany believes, as she has said in the law, that her navy, which is just a little over one-half as great as that of England in the number of battleships, is sufficient to protect herself against England, then, my God, who is willing to so belittle the American Navy as to say that it is not amply adequate to protect us against Germany?

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

Mr. WITHERSPOON. I yield to the gentleman.

Mr. CALLAWAY. Is it not a fact, if this is the truth, as the gentleman states, that the only necessity we have for increasing

our Navy is to make it an offensive Navy instead of a defensive Navy?

Mr. WITHERSPOON. Mr. Chairman, I can hardly follow my friend to that conclusion, but I will say this, that there is no reason for an increase in the Navy except, as the gentleman suggests, to provide for conquest or to provide for larger profits for those who are engaged in the business—one or the other—and my friend from Texas can take his choice.

Mr. CALLAWAY. Will the gentleman yield further?

Mr. WITHERSPOON. I will yield to the gentleman.

Mr. CALLAWAY. Might not both of these influences have been working? Some desire to go out and bring everybody in the world up to their standard and ideals. That would be one force, and others are peculiarly interested in our building our Navy bigger. That would be another influence.

Mr. WITHERSPOON. Certainly. Now, I want to call the attention of the committee to what was said by a great German admiral in a speech lately delivered at a number of different places in Germany, and this admiral spoke on behalf of the Germany Navy League, and the report of his speech was that everywhere he has delivered it it aroused great enthusiasm in Germany; and this speech goes on to describe the relation between Germany, France, and England and to show the efforts that those countries have made to involve Germany in war with them, and predicts war with England, and the part I want to read to you shows what he thinks will be the result of that war. Bear in mind, now, that Germany has just two or three battleships more than half as many as England has, and I want to call attention to what this German admiral says about it.

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

Mr. WITHERSPOON. Mr. Chairman, I would like to have five minutes more.

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

Mr. WITHERSPOON. Here is what the admiral said:

After some time there will come the decisive action between the two fleets, in which as many as possible of the enemy's ships must be destroyed. After this battle we shall be able to rebuild our fleet more quickly than England, thanks to our larger number of skilled artisans and laborers in general. The decisive engagement will begin at 10,000 to 12,000 meters, which range it will be the German tactics to maintain as long as possible. At 7,000 meters the torpedo will come into action, and later on the fight will degenerate into a mêlée of the wildest description, ship fighting ship, and using every method of destruction. The German fleet will probably enter into this close action already possessing an advantage, due mainly to its excellent Krupp gun material, which England simply can not equal. Whoever wins in this struggle, it is certain that the defeated side will leave all its ships and men at the bottom of the sea, while the victors will return home a ruined fleet.

Now, that is the judgment of a great admiral as to the result of a battle between England and Germany where England has almost twice as many battleships as Germany has, and in that entire speech this admiral never refers to the number of battleships.

Mr. GOULDEN. Will the gentleman yield?

Mr. WITHERSPOON. I will yield to the gentleman.

Mr. GOULDEN. I think it would interest all of the Members—I know it would myself—to know the name of this admiral.

Mr. WITHERSPOON. I think his name is Admiral Breusing. Now, if the strength of a fleet, if the power of a nation was proportioned, as so many think, upon the number of battleships you can count on your fingers, do not you believe that this great admiral would have said something about it? But he pointed out what he said was the superiority in the German ships, and he said they would have an advantage on that account, but never said a word about the number.

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

Mr. WITHERSPOON. Yes.

Mr. BRITTEN. Has the gentleman any opinion from a British admiral on this subject?

Mr. WITHERSPOON. No; I am discussing a German admiral now. But if that would be the result between England and Germany in naval engagement, then what would be the result between the American Navy and the German Navy? It might be uncertain, as this admiral said, between England and Germany as to which would win, but he said it is absolutely certain that between them that one side or the other would lose all of its ships and the other would return home a ruined fleet. If that would be the case there, what would be the result between us and Germany with more armored vessels and more powerful vessels than she has? It seems to me that if the conception of this admiral is correct that we need no more battleships.

Mr. GRAY, Mr. CALLAWAY, and Mr. HOBSON rose.



The CHAIRMAN. To whom does the gentleman yield?  
 Mr. HOBSON. I thought the gentleman had finished.  
 Mr. WITHERSPOON. I yield to the gentleman from Texas.  
 Mr. CALLAWAY. In reading from Admiral Vreeland a moment ago, I understood Germany would not want to send any of her battleships.  
 Mr. WITHERSPOON. Half of them.  
 Mr. CALLAWAY. I thought the gentleman said at first she would not want to send any of them.  
 Mr. WITHERSPOON. He said England would not like to send any of them and she could not send over half of them, and the same thing was true about Germany.  
 Mr. CALLAWAY. Did he express an opinion—  
 The CHAIRMAN. The time of the gentleman has expired.  
 Mr. CALLAWAY (continuing). That we would be likely to have any trouble whatever with Germany—any prospective trouble with Germany?  
 Mr. WITHERSPOON. No, sir.  
 Mr. GRAY. Mr. Chairman, I move to strike out the last two words.

Mr. HOBSON. Mr. Chairman, I move to strike out the last two words.

Mr. GRAY. Mr. Chairman, if it is proper to yield to the other side alternately, I will conform to the rules.

Mr. HOBSON. I will be very glad to yield to the gentleman.

Mr. GRAY. Mr. Chairman, great calamities are often taken advantage of by men to secure that which otherwise could not be obtained. War is one of such calamities.

The possibility of war with Mexico is thus sought to be taken advantage of, and I want to call your attention to a late editorial in the Washington Post, the first lines of which read:

These are bad times for the people who think it is a sin to authorize more than one battleship.

In other words, it is meant that these are good times for men who believe in still further increasing the Navy. And I have observed even among our friends here, while wearing a very sober and sedate visage, they betray an unmistakable expression of exultation and triumph on their faces, because it appears to them that these are good times for the men who seek to still further increase our Navy.

Mr. Chairman, our position is that we have the greatest Navy in all our history. Not only this, but the completion of the Panama Canal is soon to double the power and efficiency of that Navy, according to the very experts that these gentlemen are pleased to quote here. We are agreeing that this Navy should be maintained at this time, the greatest Navy in all our history, and soon to be doubled in power and efficiency by whatever that requires, but we are opposing a still further increase. And we are maintaining the position that there is no ground for a further increase of our Navy at this time. We are at peace with all the great naval powers of the world, and we have entangling alliance with no naval power of the world and with no country, except it be Mexico. [Applause.]

Never before in all our history was there less liability for war with any naval power than there is to-day. Never before in all our history was there such a widespread and strong sentiment among the civilized nations of the world for peace and against war as there is to-day. Never before in all our history were there as many precautions and safeguards taken among the great powers of the world to prevent war as there is to-day. There is no more reason now for the increase of our Navy than there was before this war became a possibility, except as to Mexico. And, Mr. Chairman, we are claiming and asserting that we do not need to increase our Navy to deal with Mexico.

Mr. RAGSDALE. Will the gentleman permit a question?

Mr. GRAY. Yes; a question.

Mr. RAGSDALE. Whom does the gentleman charge with having brought about this war scare?

Mr. GRAY. That is a question I am not going into at this time. If you want your curiosity satisfied, I will look it up, and we will talk about that proposition. [Laughter.]

Mr. RAGSDALE. Will the gentleman permit a further question?

Mr. GRAY. Now, we are maintaining that the United States has the greatest and most powerful Navy in all its history. If we are not second as a naval power, we are third, and Mexico has practically no navy. We claim that it is not necessary for us to still further increase our Navy to deal with Mexico, and yet they say these are bad days for the men who advocate one warship; that is, these are good days for the men who advocate a still further increase of our Navy.

Mr. BRITTEN. Will the gentleman yield?

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

Mr. GRAY. Mr. Chairman, I ask for an extension of time of five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BRITTEN. I would like to ask my colleague of the Committee on Naval Affairs if he voted for the war resolution, and ask him whether—

Mr. GRAY. Yes; I voted for the resolution and I will take that question up with the gentleman when that question arises. I will try and satisfy the gentleman at the proper time. [Laughter.]

Mr. BRITTEN. The question has already been voted on.

Mr. GRAY. Mr. Chairman, I refuse to yield. I want to proceed.

Mr. CALLAWAY. These big-navy men claim that a big navy is one of the things that keeps us out of war. How do they reconcile that with the war that we have gotten into with Mexico?

Mr. GRAY. Yes; they say it is the size of our Navy that insures peace, and yet we have a Navy only half as large as England, and we are at peace and have been at peace with England for a hundred years. We have a Navy more than 50 times as large as Mexico, and yet it is the only country with which our peace is jeopardized. Now, we claim that we have such a superior Navy over Mexico that we require no increase by reason of our strained relations, but observing the disposition manifested here to disparage our own Navy and to exalt other navies, I am constrained to go into some of the facts and show and prove to these doubting gentlemen the superiority of our Navy over the Mexican Navy. The United States has in all over 300 vessels and Mexico has only about 20. Our fighting ships number about 177, and those of Mexico not over 13, all of which are obsolete and many of which are only partially armed. We claim that on the number of ships there is no ground for an increase in our Navy. But now as to the tonnage. Our vessels have a tonnage of more than 754,000 tons, while those of Mexico have a tonnage of only about 10,000 tons. We claim that on tonnage there is no necessity shown for an increase in order to deal with Mexico.

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

Mr. GRAY. Surely.

Mr. BRITTEN. My colleague on the committee is comparing our Navy with the Mexican Navy. Has he any doubt about our ability to take care of the Mexican Navy?

Mr. GRAY. No; I have not, but I fear you will not believe it unless I state all the facts and make a demonstration. [Applause.] You have been disparaging our own Navy and exalting the navies of other countries. I want to prove to you and convince you that we have a greater Navy than Mexico, and therefore I feel constrained to give you the figures. Please be seated, and I will proceed.

Now, we have over 2,000 guns on our ships, and they have only 62 guns, and we insist that this excess of guns gives us a sufficient advantage without still further increasing our Navy. We have ten 14-inch guns and thirty-two 13-inch guns; we have one hundred and sixty-two 12-inch guns and over 600 guns over 6-inch, and twenty-two 4-inch guns; and Mexico has twenty-two 6-pounders, and the rest of them are less than 4-inch, and we insist that in size of our guns we have a sufficient advantage without a further increase. But, Mr. Chairman, if we are wrong in our conclusions on the number of vessels, if we are wrong in our conclusions on the number of guns, if we are wrong in our conclusions on the size of the guns, we insist that in one respect it can be conclusively shown that we have the advantage. All our guns are breechloaders and part of their guns are muzzle-loaders, and we insist that this gives us sufficient advantage without further increase. When war comes and they come out to swab out the barrels, we can shoot them. That will give us an advantage. [Laughter.] In the heat and excitement of battle they may break their ramrods or twist their ramrods or spill out the powder, and then we can shoot while they are loading. We claim that by reason of the kind and character of guns we have the advantage. If the only reason for increasing our Navy to-day is to be found in our strained relation with Mexico, then there is no reason for still further increasing our Navy. This claim that our naval policy should be influenced by reason of threatened hostilities with Mexico is absurd, but it can not be allowed to go unchallenged. It must be met, explained, analyzed, and the facts constituting the superiority of our Navy made apparent and brought within the comprehension of those who are to shape the destinies of this Nation as a world power on the sea. [Applause.]

Mr. HOBSON. Mr. Chairman, the gentleman from Indiana [Mr. GRAY], who has just spoken, has come pretty near bringing up what I have been expecting constantly—an imputation



that these calamitous times upon which we have fallen have been brought about by the advocates of an adequate Navy just as the naval appropriation bill is due. Every year, when any international complication comes within months of the naval appropriation bill's coming up, we are met with the imputation that it was improvised for the purpose of getting more battle-ships.

Why do you suppose it is that, with the superiority we have over the Mexican Navy, this is a good time to have proper attention given to the national defense in the House of Representatives? It is simply because, Mr. Chairman, the attention of the people of this Nation is momentarily turned to the question of national defense. It is only when an emergency arises that the people give attention to national defense. That is the weakness of our country; it has been the weakness of Republics since the world began, that their people, absorbed in industrial and productive pursuits, naturally and necessarily neglect the national defense; and when the people neglect it their representatives neglect it, and so, as a rule, war overtakes Republics unprepared, and in some cases it is then too late to avert disaster. You need never fear that the impulse for national defense in America will be disproportionate as compared with other nations, even with all of the wars and rumors of wars that may come. Our whole war experience has been to the contrary. Wars have actually come because we were unprepared, and other wars have lasted much longer than they should have lasted, entailing heavy unnecessary losses of blood and treasure.

Now I would like to call attention to the remarks made about the Panama Canal and its effect upon our Navy. The Panama Canal is far distant from our shores, almost as far as from the nations of Europe. If we are in control of the sea, the Panama Canal is ours, and we can mobilize by transferring our fleets from one ocean to the other. But if the Panama Canal falls into the control of the enemy, which it would if the enemy came into control of the sea and had a mobile Army, then the Panama Canal would be closed to our ships and open to the enemy's ships. And so the Panama Canal makes both of our coasts exposed, when formerly only one coast would have been exposed when we lose control of the sea. The Panama Canal, instead of minimizing the importance of our Navy, has enlarged it.

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

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

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

Mr. HOBSON. Certainly.

Mr. KEATING. Does the gentleman from Alabama mean to tell the House that those who constructed the Panama Canal just doubled the danger of this country suffering from an attack by a foreign fleet?

Mr. HOBSON. I will say to the gentleman that they fully realized that they doubled the importance of our controlling the sea, so that we could thereby control the canal.

Mr. KEATING. The theory upon which the Panama Canal was constructed, I think the gentleman will agree with me, was that it was a great war measure and would enable us to mobilize our fleet. Now the gentleman tells the House that it really weakens us instead of strengthening us.

Mr. HOBSON. Speaking in general terms, it doubles our weakness if we are not in control of the sea, and it doubles our strength if we are in control of the sea.

Mr. KEATING. Under present conditions, is the gentleman prepared to say that the construction of the Panama Canal reduced the efficiency of our fleet and doubled our danger?

Mr. HOBSON. It has very materially increased our exposure in the present status of our Navy.

Mr. KEATING. And thereby increased our danger?

Mr. HOBSON. In the present status of our Navy it has very materially increased our exposure.

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

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

Mr. HOBSON. Yes; I yield to the gentleman.

Mr. RAGSDALE. Under the position taken by Senator OWEN recently, that the war vessels of Japan have the same rights in the Panama Canal as our vessels, it certainly makes it necessary that our Navy should be maintained at least to the standard that it bore relative to other nations.

Mr. HOBSON. I do not believe that the war vessels of the enemy will ever have equal rights with our vessels in the Panama Canal as long as we control the canal.

Mr. RAGSDALE. Yet the gentleman knows that the Senator from Oklahoma [Mr. OWEN] recently took that position on the floor of the Senate.

Mr. HOBSON. I did not read his speech, but, of course, I assume that the gentleman is correct in his statement of it.

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

Mr. HOBSON. Certainly.

Mr. SABATH. Was it not contended by experts before and during the construction of the canal that by the construction of the canal that instead of our being obliged to have two fleets one will suffice, and we will be able to transport our fleet from one ocean to the other, and therefore shall not need to have a double fleet or two fleets, one on each ocean, but that one will suffice?

Mr. HOBSON. Of course.

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

Mr. SABATH. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HOBSON. I will say to the gentleman that he is correct, that the experts pointed out the advantage of added facilities for the mobilization and concentration of our fleet; but the gentleman knows, of course, that in pointing that out it was assumed, of course, that we actually did possess and control the canal and could reach it with our ships; otherwise we would not mobilize.

Mr. SABATH. Is not our Navy at least 50 per cent stronger than it was at the time the canal was being constructed?

Mr. HOBSON. Does the gentleman mean absolutely or relatively?

Mr. SABATH. Oh, absolutely.

Mr. HOBSON. Speaking of absolute strength, I should say it is ten times as strong as it was in 1904, and that it is stronger in proportion now to what it was in 1908, in proportion to our dreadnaught tonnage now as it compares with what it was then; but the strength of our Navy should be considered as relative and not absolute. In 1904 our Navy was probably 60 per cent stronger than the German Navy. There is no question about that.

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

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Tennessee?

Mr. HOBSON. In a moment. And when Germany hoisted her flag in Venezuela, and Great Britain declined cooperating further with Germany, and we called upon Germany to retire from Venezuela, we had undisputed control of the sea. And although Germany had a great army, it could not reach Venezuela. We were in control of the situation, and Germany very promptly and courteously retired. Now, if that situation were repeated to-day—if Germany hoisted her flag in Venezuela to-day, with or without the cooperation of any other power, and if we called on Germany to retire—Germany would laugh in our face, for the simple reason that she has almost double the first-line strength of battleships that we have, and could therefore sweep the seas. In other words, Germany to-day has control of the sea, where America had it in 1904, and in her control of the sea Germany could not only stop our sending any of our forces to Mexico or Venezuela or anywhere else, but she would be absolutely free to send her forces—not only her naval forces, but her armies—and her forces then would be in absolute power, and she could without much difficulty take and occupy and control the Panama Canal.

Mr. SIMS. If we were in a war with England, I assume that we must have a Navy equal to that of England in order to protect our canal against England.

Mr. HOBSON. A war with England involves factors that are not involved in a war with any other power, for this reason—

Mr. SIMS. Upon the theory that we must have a Navy equal to that of any other nation that might be brought against us, and England having double ours, we would be in no condition to defend ourselves against England's Navy with reference to the Panama Canal.

Mr. HOBSON. Yes; that is correct, but with this difference: If we had a good military force of occupation in Panama, the English Navy could not dislodge it.

Mr. PADGETT. Will the gentleman refer to the position of Canada?

Mr. HOBSON. Yes; I will come to that in a moment. From the military point of view England is more like America. She has no mobile army behind her navy. Consequently, England could not go down and possess itself outright of the Panama Canal.

Mr. SIMS. But she could prevent us from using it.



Mr. HOBSON. She could control the sea, and so ultimately could control the Panama Canal, because she could ultimately bring over military forces sufficient to come up and take the defenses of the Panama Canal from the rear. But the question of England and the Panama Canal is neutralized because of the fact that we have just north of us a hostage that is far more valuable than the Panama Canal would be as a hostage, and I do not contemplate our ever having a war with England. But that does not mean that England might not be willing to let some other power or powers have a war with America without interference of any kind.

Mr. SIMS. But the logic of your position is that in order to defend the Panama Canal and use it ourselves we must have a naval strength equal to or exceeding that of any other nation or nations that might combine—

Mr. HOBSON. Any military nation that would undertake to seize the Panama Canal or make war upon us.

Mr. SIMS. I mean that.

Mr. HOBSON. That is correct.

Mr. SAUNDERS. Having in mind what Admiral Vreeland stated as to the proportion of the German Navy that could be utilized against America, and therefore in operations against our canal, do you undertake to say that the proportion of the German Navy that could be so used would be superior to the whole American Navy?

Mr. HOBSON. What I should like to say to the gentleman is that he is not manifesting his usual penetrating and shrewd logic when he imagines that Germany would only send half her navy in case of a war with America—

Mr. SAUNDERS. Well, I am stating—

Mr. HOBSON. Permit me to answer your question. In case of war with America, Germany, desiring to seize the Panama Canal—Germany, desiring to seize South American territory—the gentleman is not displaying his usual penetration and logic when he imagines that Germany would send only half of her fleet against the American fleet.

Mr. SAUNDERS. Then the gentleman disagrees with Admiral Vreeland?

Mr. HOBSON. No; I will show the gentleman in a minute.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENSLEY. I ask unanimous consent that the time of the gentleman from Alabama be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HOBSON. I thank my colleague for procuring an extension of time for me. If the theory advanced by the gentleman is to be adopted, then Germany needs only half as big a navy as England, England needs only half as big a navy as Germany, Germany needs only half as big a navy as America, and no nation would need more than half as big a navy as any other nation.

Mr. SAUNDERS. I am not advancing any theory. I am merely predicating that Admiral Vreeland's statement was correct. Assuming then Admiral Vreeland is authority in this respect, is it the gentleman's conclusion that that proportion of the German Navy which they could utilize in offensive operations against the United States, would be superior to all of our present Navy? That is a fair question, I think.

Mr. HOBSON. Yes; and I will answer it by quoting Admiral Vreeland's words.

Mr. SAUNDERS. They were read here a moment ago.

Mr. HOBSON. I know they were read, and it was predicated on these words:

Not without an understanding with the other powers.

But Germany would have that understanding with the other powers before she went to war.

Mr. SAUNDERS. Would the gentleman still further complicate this question by admitting that Germany before attacking us, would need to secure an understanding with the great powers of the world?

Mr. HOBSON. I will say that America, before attacking Mexico, has sought to have an understanding with the great powers of the world, and any nation with a reasonable amount of intelligence would do the same thing.

Mr. SAUNDERS. Does the gentleman assume that Germany, in spite of all her problems of a menacing character confronting her in Europe, and with respect to which she is professedly building up a navy, could secure the agreement of all her possible enemies, so to keep hands off for the future, in the event she desired to utilize all of her navy in a useless war with America? Does not the gentleman think that it is a rather remote possibility that Germany will attack us, if such an agreement must be secured as a necessary condition precedent?

Mr. HOBSON. If the gentleman would carry it to an extreme, of course it would be, using his words literally; but I

will say to the gentleman, on the contrary, that for centuries Europe has always been under what is known as a balance of power, and no great nation has placed its trust for defense in such a condition.

Individual nations of Europe have been able to come to such an understanding, largely as occasion required, and have been able to conduct distant wars without any molestation on the part of others. This dependence on the balance of power between other nations with their own misunderstandings and own complications has been the main method of defense employed by Turkey and the chief method of defense employed by China, but any nation in the long run that depends on the balance of power between other nations and their quarrels for its defense has in the end suffered spoliation.

Mr. SAUNDERS. All of my friend's answer is foreign to my question. Having in mind the great population of the United States, the character of that population, our power, and our resources, it is idle to talk about Turkey and China, as being in the same class with this country.

Mr. HOBSON. How about Russia in the Japanese war? She was not molested by England or Germany.

Mr. SAUNDERS. My view that Germany is not likely to attack this country is predicated on the idea that Germany has certain domestic interests requiring her attention, and certain immediate dangers at home, that must be provided against. Now, the gentleman tells me that she could make an arrangement with her ancient enemies by which she would be able to utilize the whole strength of her navy in an effort to capture, and hold the Panama Canal.

Mr. HOBSON. I say to the gentleman that Germany's defense does not depend on its naval power. That is the reason that its navy is only half as big as that of England. Having a large mobile army, she could not be invaded by any neighbor, and England in control of the sea could not invade Germany. Her defense does not depend on her navy.

Mr. SAUNDERS. The view expressed by the gentleman from Alabama is in opposition to the view of the German admiral who was quoted in our presence this morning by the gentleman from Mississippi [Mr. WITHERSPOON].

Now, permit me to ask a further question and I am through, I am reasonably familiar with the debate that was in progress in this House at the time the construction of the Panama Canal was ordered. Does the gentleman from Alabama recall that ever at any time during that debate the argument was put forward that as a result of the construction of the canal we would, by virtue of that very fact, be compelled to immensely increase the fighting strength and number of the ships of our Navy?

Mr. HOBSON. I will say to the gentleman that that is self-evident.

Mr. SAUNDERS. It may be self-evident now, but at the time to which I refer it was distinctly urged that the construction of the canal would enable us to maintain our position in the world with a smaller Navy than would otherwise be necessary.

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

Mr. SAUNDERS. Mr. Chairman, I ask unanimous consent that the gentleman may have five additional minutes, as I have consumed a considerable portion of his time.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the gentleman from Alabama have five minutes more. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I dislike to take up the gentleman's time, but I would like to ask him one question.

Mr. HOBSON. Certainly; I yield.

Mr. MANN. Does the gentleman from Alabama believe that we ought to have a Navy sufficiently large to protect the canal by being down near Panama?

Mr. HOBSON. No; I will say that if our Navy is in control of the sea no enemy's transport would ever shove off from a foreign shore. Our Navy would not have to go down there.

Mr. MANN. How would anybody know that our Navy was in control of the sea?

Mr. HOBSON. If we took what is called the first line for our Navy and for the other nation's navy, and if ours were clearly superior in power, we would have control of the sea.

Mr. MANN. By 1917 does the gentleman think that we would be afraid to send our Navy to sea?

Mr. HOBSON. I do not think we would be afraid to do anything if the Nation's safety demanded it, but of course ordinarily we would not send out our fleet unless there was a reasonable chance of its being advantageous.

Mr. MANN. By "afraid" I do not mean fear, but good sense.

Mr. HOBSON. I will say to the gentleman that if in 1917 there should be war between Germany and America, Germany



would have undisputed control of the sea; and Germany would proceed to occupy the Panama Canal the very first thing, and nothing could prevent her occupying it.

Mr. MANN. What would we be doing with our Navy while that was being done?

Mr. HOBSON. I think, although Germany's fleet would be more powerful than ours, that our fleet would probably be ordered forth to offer an engagement on the high seas, with very heavy odds against us.

Mr. MANN. Where? I do not suppose that they would arrange by cablegram where they were to meet.

Mr. HOBSON. I think this would be the course of events: Certainly our fleet would not go to Germany. I do not believe our fleet would go to Panama. I believe the German fleet would go back and forth from Germany to Panama and convey troops on a reduced scale, continuing operations there and in control in South America until public clamor in America compelled our fleet to go forth. We may rest assured that when the final engagement came the Germans would practically determine where it would be held, and it would be held so that our fleet would be as far from its base as Germany's was.

Mr. MANN. Suppose that we had a fleet larger than the German fleet, where would our fleet go in time of war?

Mr. HOBSON. It would not have to go anywhere.

Mr. MANN. It would have to be somewhere.

Mr. HOBSON. We would be ready to strike if the German navy put to sea. I will say this to the gentleman: Germany would not attempt to strike. Germany's strength is in her army, and until she has this control of the sea she would never send a transport from her shores; and the fact that America has no army at all would have no influence on the outcome of the war. We would be on a footing with the great military nations of the world.

Mr. MANN. That was not the case when we had the Spanish War. The Spaniards sent a fleet, and we had the more powerful navy.

Mr. HOBSON. But the Spaniards did not know it.

Mr. MANN. That is just what I say. Nobody knows it until it is over. We will not know it until it is over. Suppose we have a larger navy than Germany, we could not keep it at Panama, because the German navy might sail for New York. We could not keep it at New York, because they might sail for Panama. The gentleman talks about keeping track with the wireless, but I take it we could not get wireless messages telling us where they were.

Mr. HOBSON. If we had the proper scouting system we would have messages of our own. But I will say to the gentleman that he has pointed out a very interesting factor of our national defense. If we have not control of the sea, so that an enemy can take to sea and take his transports with him, he can strike anywhere from Portland, Me., to the Panama Canal; but if we have control of the sea, no foreign fleet would set out for our shores, and certainly no transports would go forth, without expecting and certainly having a fleet encounter with a superior force; and knowing that, such a foreign nation would be very slow to enter upon war with us, slower than under other conditions.

Mr. MANN. We had control of the sea, theoretically, at the time of the Spanish War, and Spain did not know it, and we did not know it. We did not know whether the Spanish fleet was on its way to Cuba or whether it was on its way to Porto Rica or to New York or to Portland or to Charleston or to New Orleans. I was here at that time in the House.

Mr. HOBSON. And I was with the fleet that was trying to find the Spanish fleet.

Mr. MANN. And the gentleman did not find it.

Mr. HOBSON. We finally found it.

Mr. MANN. Not until they got to their point of destination. Under the same circumstances, how can we have a fleet large enough—and I understood that is what the gentlemen were discussing—to protect the Panama Canal and at the same time protect all of the ports on the Atlantic, unless we maintain our fleet over in Germany to prevent their fleet starting out to sea?

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

Mr. BUCHANAN of Illinois. Mr. Chairman, I ask unanimous consent that the gentleman may continue for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUCHANAN of Illinois. Mr. Chairman, I will ask the gentleman if he thinks the Germans are going to obtain control of the Panama Canal before it is completed and in successful operation?

Mr. HOBSON. No. I will say now, in answer to the gentleman from Illinois [Mr. MANN], that his questions are very

illuminating. At the time of the Spanish War the foreign experts—not only the Spanish experts, but the German and other experts—actually estimated the Spanish fleet as equal, if not superior, to ours. It was upon that presumption that Spain went to war, instead of granting reforms in Cuba, and it was upon that presumption that she sent forth her fleet, a homogeneous fleet it was, too, of 21 knots speed, while our battleship fleet had monitors in it, and the battleships were only of 16 knots speed. When we finally got control of the sea, the war was over; the Seventh Army Corps, held ready in Florida, never embarked to go over and storm Habana. The war was over. If Spain had known that it had not control of the sea, that we could reach Cuba and Spain could not at will, then Spain as an intelligent organism would have granted us reasonable reforms, and only when we made unjust and unreasonable, even insulting, demands, which we never would make, would she have brought on the war; and the *Maine*, I believe, would never have been blown up.

By the way, let me say in connection with the trip of the *Oregon*, that in order to give us superiority the *Oregon* went posthaste on around the Horn. We believed that the *Oregon* would give us the balance of power. The Spaniards, when the *Maine* was blown up, evidently believed they had the balance. Suppose we had that condition to repeat to-day. If we wanted to bring forces from the Pacific to the Atlantic, if we were in control of the sea, we would bring them through the Panama Canal. If we had had the Panama Canal at the time of the Spanish War, the *Oregon* would have come through the canal. Of course, if we had had the Panama Canal, the Spanish fleet might have been directed against Panama instead of into Santiago; but I do not believe so, because they would not have had a base at Panama.

Mr. HENSLEY. Mr. Chairman, will the gentleman yield for a question right there?

Mr. HOBSON. But if Spain were in control of the sea, we could not have sent the *Oregon* through or around either. I yield now to the gentleman from Missouri.

Mr. HENSLEY. I understood the gentleman to say a few moments ago that at the time we had the little difficulty over the Venezuelan situation our Navy was superior to Germany's navy, and that because of that fact Germany submitted to our demands, or yielded, by reason of that fact. I would ask the gentleman how he would compare the Navy of this Nation with the navy of Great Britain at that particular time, and whether Great Britain did not also yield to the position of the United States?

Mr. HOBSON. Great Britain did, and Great Britain yielded at the time President Cleveland issued his Venezuelan message, for the special reasons which I mentioned to the gentleman before, that Great Britain is not a military power, and even with full control of the sea she could not strike us, while we could strike Great Britain by ultimately taking Canada. That brings up the essential difference that should be borne in mind in comparing the German Navy with the British Navy. The Germans are content with a navy a little over half as large as the British, and why? As I said, because the British, though in undisputed control of the sea, can not invade Germany; but the British are not satisfied with a navy equal to that of Germany. The British demand a navy twice as great as that of Germany, and even then great uneasiness prevails, because if the German fleet should get control of the sea, the German armies would be thrown into England and it would be the end of the British Empire. If at Trafalgar, Admiral Villeneuve, the French admiral, with his Spanish allies, had destroyed the British fleet under Nelson, Napoleon instantly would have begun his embarkation to cross the English Channel and conquered England as had William the Conqueror, and the course of English civilization would have been different. That is the essential difference. We are like Great Britain. We have no great standing Army. We are open not only upon our mainland, where ultimately we could drive out any invader, and consequently an invader would not linger permanently, but simply do the damage and levy tribute on our cities and retire; but we have Hawaii, we have the Philippine Islands, we have the Panama Canal, we have the Monroe doctrine, covering the hemisphere, which makes it so that if we lose control of the sea to a nation that has a great army all of these interests are exposed. But suppose we have control of the sea, then no matter how powerful a foreign nation may be, if it has the greatest armies in the world and transportation ready to carry them over the sea, it would not dare venture across the sea, and our defense is complete.

Mr. SABATH. Will the gentleman permit me another question?

Mr. HOBSON. I yield to the gentleman.



Mr. SABATH. The gentleman has stated that due to the Panama Canal our danger is almost as great as it has been before the completion of the canal. Does the gentleman take into consideration the question of our fortifications at the Panama Canal?

Mr. HOBSON. Yes; I do. The gentleman will understand this. If you have a mobile army in conjunction with coast fortifications, your fortifications are secure, because no ship can stand up and fight in front and no army can land and take you in the rear, but if you have no mobile army and a nation with a powerful army has control of the sea she can land her army below and take your fortifications in the rear, because the fortifications are practically impotent from this attack unless you have a mobile army. Now as to the point on which I was proceeding. About 6 to 8 or 10 years ago our Navy was much superior to the German Navy. That is the comparison that gentlemen who have made this minority report have made. When they made a comparison of our Navy and the German Navy they incorporated the *Oregon* and other old ships with the ships of to-day. At the predreadnaught period, before dreadnaughts appeared at all, our Navy was fully 60 per cent stronger than the German Navy, but when I undertook to point out the other day you could not compare the *Oregon* and put it on the same line with the dreadnaughts of to-day it appeared actually so ridiculous that the gentleman from Virginia [Mr. SAUNDERS] began to try to make an explanation for any comparison with the *Oregon* having been made and said that I had put up a man of straw in order to knock him down to put the *Oregon* up against the *Pennsylvania*. I was not putting up any man of straw. Here is what the gentleman from Mississippi said:

So in point of weight of the metal in a broadside, in point of the muzzle energy, in point of protection by their armor, in point of the destructive forces of the gun, there is not a battleship in the German line that is near equal to the *Oregon*. The truth of the business is if the *Oregon* was in a battle with any six German battleships it would destroy every one of them before they would get close enough for their guns to penetrate its armor.

Then he goes on to say he did not compare the *Oregon* with dreadnaughts; but when he says there is not a battleship in the German line that is near equal to the *Oregon*, my impression was of course he meant dreadnaughts in the line, because the line means the dreadnaught line. But I was not trying to compare the *Oregon* with the dreadnaughts merely as a point of controversy, but also as an illustration. The point I wanted to make was, and which I did make, and which nobody can contradict, and which no one has tried to contradict, is that a vessel of the predreadnaught period has no right to be put in a logical, rational comparison in the same class with vessels of the dreadnaught period.

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

Mr. HOBSON. Mr. Chairman, I ask for five minutes more.

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

Mr. HOBSON. Mr. Chairman, I am sorry the gentleman from Virginia [Mr. SAUNDERS] has left, because I desired him to hear this: Here is the substance of what I tried to say. There is no comparison between the two. You might as well compare a street car pulled by horses along a street with electric cars of the New York subways as to compare ships of the predreadnaught period with the ships of the present day. They simply can not be compared. Taking the dreadnaught period, and here it is. I want Members to look at it on page 41 of the report of the committee, where it shows that Germany has 28 of the dreadnaught period, with a total of 678,000 tons, and assuming that we put into our list the *Michigan* and *South Carolina*, of only 16,000 tons, America would have only 14, with a tonnage of 329,000 tons, about half of that of Germany. That is the situation between the two navies to-day. Again, taking the naval appropriation bill's basis of comparison is not to take the totals of the bills and compare the lump sums any more than you would compare ships in a lump class. But compare the appropriations for new construction, what will you find? It costs about as much to build a dreadnaught in other countries as ours. Germany during that period from 1905 to 1913 has spent on dreadnaught construction about \$457,000,000. America has spent during that period a total of \$346,000,000. Japan in that period has spent \$107,000,000 for new construction. Now take the years from 1909 to 1914. In this period Germany has spent on new construction \$359,000,000, while the United States has spent \$185,000,000 and Japan has spent \$88,000,000. This verifies the comparison above and shows that Germany is in the midst of a program about twice as great as ours, while Japan is running up around more than half of ours. America to-day is down far below the German navy. The truth

is, as the table shows, it is actually below France and is not very far ahead of Japan.

My contention was, and it is now, and it is rational, that when any great nation in Europe or in Asia has a great army, we are entitled to have, and for our security ought to have, at least, a fleet the equivalent of theirs on the ocean in question. If we have, then we can insure a chance for mobilization through the Panama Canal and realize a reasonable margin of superiority.

Mr. GARNER. If I understood the gentleman from Illinois and the reply of the gentleman from Alabama, it was that the construction of the Panama Canal weakens our defense.

Mr. HOBSON. If the enemy has the control of the sea.

Mr. GARNER. In other words, that it was a mistake from a defensive standpoint to have constructed the Panama Canal?

Mr. HOBSON. I think not. You can put this down, whether we learn the lesson before punishment comes or not, that America some day is going to have the Navy I am advocating. It is written in the book of fate. With our influence now covering the Western Hemisphere and the far-distant shores of South America, with the open-door policy, even now advocated in far-off Asia, America is going to be compelled to have this reasonable equilibrium in the two oceans which will insure her control of the sea, as far as defense is concerned, and will make the Panama Canal of vast permanent advantage to the Nation.

Mr. SAUNDERS. May I ask my friend a question in that connection? I was out a moment ago.

Mr. HOBSON. Certainly.

Mr. SAUNDERS. I understand from you, then, that for the proper defense of the United States, in your view, we ought to have a fleet in the Atlantic Ocean equivalent to the German fleet. In addition we should maintain in the Pacific Ocean another fleet that would be the equivalent of the Japanese fleet. This statement, if you are correct, would establish a naval policy for this country. Of course, as soon as we agree upon what is necessary for our interest and security, the next step will be to provide a construction program that will carry out that policy. Now, if that is to be our policy—and our program should carry out the policy—what would be your naval construction program, designed to afford the United States adequate protection? We all want adequate protection.

Mr. HOBSON. I am very glad the gentleman asked the question. It brings me right down to a final statement of what I believe ought to be the program. Assuming that we are not going to make up for our delinquencies in the past, it will take from three to three and one-half to keep up with Germany and one to one and one-half to keep up with Japan. It would take between four and five dreadnaughts a year for us to maintain the required equilibrium.

Mr. GARNER. Then we can not get adequate protection under the present program?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Mr. Chairman, I reserved a point of order some time ago on the alien seamen paragraph, and now I wish to withdraw it and to offer an amendment.

Mr. HENSLEY. Will the gentleman allow me?

Mr. MOORE. Very well.

The CHAIRMAN. Without objection, the point of order is withdrawn.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. MOORE. I offered an amendment in lieu thereof.

The CHAIRMAN. The point of order is reserved.

Mr. HENSLEY. Mr. Chairman, there has been a great deal said in this debate concerning the fighting qualities of three battleships mentioned—the *Oregon*, the *Massachusetts*, and the *Indiana*. I desire to briefly call your attention to some records which have been made. A few days ago the chairman of the committee in his speech—and I would like very much to have the attention of all here—quoted from Admiral Dewey with reference to the fighting value of these battleships. And I shall now quote what the gentleman from Tennessee [Mr. PADGETT], the chairman of this committee, said when he quoted from Admiral Dewey a few days ago. He said:

My opinion is that they have all three passed their limit of usefulness and are obsolete in guns, construction, and speed, and that they should be stricken from the list, as their military value does not compensate for the loss to the fleet that would be entailed by their manning and maintenance.

Now, that is the opinion of Admiral Dewey at this time. I call your attention to a portion of the speech made by the gentleman from Tennessee [Mr. PADGETT] on March 31, 1910, which also gives an opinion from Admiral Dewey. Now catch this, gentlemen:

Speaking about ships becoming obsolete, I want to call your attention to a fact that may, perhaps, be somewhat misapprehended. It is said the life of a battleship is 20 years.



Now, gentlemen, listen:

In one sense, he says, and to a limited degree, that is correct, but the hull of a ship is preserved indefinitely. Admiral Dewey said that it would be as good in a hundred years, perhaps, as when it was made. It is the machinery on the ship that becomes worn out and antiquated. It is the guns on the ship that become obsolete by improvement in other guns; but when that machinery is taken out and up-to-date machinery put in, and when the old guns are taken out and up-to-date guns replace them, that battleship is approximately as good and as effective as when first launched.

Now, Mr. Chairman, in connection with this let me call your attention to the fact that these battleships have been in dry dock for the very purpose of reconstruction and repair, for the purpose of making them efficient. Now listen: The report of Secretary Meyer for the fiscal year 1910, on page 34, said the *Oregon* was laid up for extensive repairs for five years and five months, from April 26, 1906, to October, 1911; the *Indiana* for two years, from December 29, 1904, to January 8, 1906; the *Massachusetts* for two years and four months, from January 9, 1906, to April 28, 1910. For the construction of these vessels the following sums were expended, to wit, that is, the repairs covering the period of time they were there in those docks for the purpose of repair: The *Oregon* cost \$1,709,468.11; the *Massachusetts* cost us \$1,925,354.53; the *Indiana* cost us \$2,112,202.55.

Now I ask, Mr. Chairman, in all candor and seriousness, if Admiral Dewey's opinion, given by the gentleman from Tennessee [Mr. PADGETT] in 1910, was correct, and if these vessels were put in dock for the purpose of repairing and making them efficient, why have we expended that sum of \$5,747,025.17 upon them and to-day their usefulness and efficiency are nil, as expressed by Admiral Dewey?

The CHAIRMAN (Mr. HAY). The time of the gentleman from Missouri has expired.

Mr. PADGETT. Mr. Chairman, I think it is but just to state, with reference to Admiral Vreeland, some of whose statements were quoted, that he based them upon the continuation of the existing conditions in Europe. He says, answering a question—

At present you can not tell what will be the case a year hence. No one can tell.

And then further on he said:

At the present time no one can predict what alliances and ententes may exist a year hence.

So that in stating what proportion of its ships England or Germany or any other country might send, it would be based upon the conditions and international relations existing at the time the emergency arose.

The gentleman who just took his seat [Mr. HENSLEY] said that in 1910 I quoted Admiral Dewey as saying that the hull of a ship was as good a hundred years after as it was at the time it was made. That is true. The letter I read the other day from Admiral Dewey showed that the design of the *Oregon* has been changed so that to-day its armor is 4½ inches beneath the water level when it is loaded, showing that it matters not what sort of guns you put on it at the present time it would not be a fighting ship, because its whole protection is below the water line.

Mr. HENSLEY. Mr. Chairman, will the gentleman yield right there?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Missouri?

Mr. PADGETT. Yes.

Mr. HENSLEY. Then will the gentleman answer me why we have expended \$5,747,025.19 on the repair of those vessels if they are absolutely useless?

Mr. PADGETT. Those repairs, as stated in the letter I have from Admiral Watt, giving the amounts in detail, were repairs that had been made since the ships were launched 18 or 20 years ago, and they embrace the whole period of repairs. There was a large expenditure made in recent years, and events now show that in the progress and development of ships that have since been attained it was an expenditure that very well might have been dispensed with, and it shows that we have ships to-day on which it would have been very well to have left off those expenditures. But that is shown not by the light that we had at that time but by the developments of the present time and the immense progress and development that have been made in ships since then.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. PADGETT. Yes.

Mr. KELLEY of Michigan. Does the gentleman remember how long the *Oregon* was building? Was it five years?

Mr. PADGETT. I do not remember. You can find the date when its keel was laid and when it was put in commission.

Mr. KELLEY of Michigan. It was something like five years, was it not?

Mr. PADGETT. It was several years. I do not remember exactly how long.

Mr. KELLEY of Michigan. So that the plans and designs of the ships were prepared considerably more than five years before the ships were put in commission?

Mr. PADGETT. Yes.

Mr. HENSLEY. Mr. Chairman, do I understand the gentleman from Tennessee to charge that the report made by Secretary Meyer was incorrect as to the amount expended within the time I quoted?

Mr. PADGETT. I do not say the figures are incorrect for the time, but I have the figures of Admiral Watt, as specific years for whole period.

Mr. HENSLEY. If I can not safely proceed upon the theory that the figures that have been given by the department and the Secretary are true, I can not handle the matter properly.

Mr. PADGETT. The Secretary reported the gross sums of expenditure, without giving the years. The expenditures began in 1896 on the *Indiana* and continued up to the present time. They began in 1897 on the *Massachusetts*, and the sum given includes the present year 1914. The repairs on the *Oregon* began in 1897 and conclude with 1914. Each year is given here, making up the sums of which the gentleman gave the aggregate amount, as shown by the report.

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

Mr. PADGETT. Mr. Chairman, I wanted to make one request. I think everybody will concede that I have been very liberal in regard to the time allotted to the discussion of the battleship proposition. We had 18 hours of general debate.

Mr. BUCHANAN of Illinois. Mr. Chairman, I want to ask the gentleman a question in regard to the expense of repairing these ships. I think it ought to be put in the RECORD when the money was expended. I think if we have been expending our money on obsolete ships there ought to be some investigation about it, to see why it is being done.

The CHAIRMAN. The gentleman is not entitled to the floor without unanimous consent.

Mr. PADGETT. I ask five minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Tennessee [Mr. PADGETT] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. BATHRICK. Mr. Chairman, I think the gentleman from Tennessee very explicitly stated that these repairs ran along for a number of years.

Mr. BUCHANAN of Illinois. Who has got the floor?

The CHAIRMAN. The gentleman from Tennessee has the floor.

Mr. BUCHANAN of Illinois. Wait a moment. I want to make clear what information I wanted. I want a statement of the amount expended and the years it was expended in. I want that put in the RECORD, if the gentleman does not want to take up the time to repeat it.

Mr. PADGETT. I will include it in my remarks, covering each vessel and each year. This is the statement:

Statement showing expenditures by fiscal years, Title D, for repairs, including changes and additions.

	Indiana, first commissioned Nov. 20, 1895.	Massachusetts, first commissioned June 10, 1896.	Oregon, first commissioned July 15, 1896.
1896.....	\$347.37		
1897.....	25,789.42	\$19,683.37	\$8,354.59
1898.....	13,696.63	20,516.25	12,741.78
1899.....	198,614.60	138,661.04	28,321.04
1900.....	90,306.20	82,151.67	34,541.00
1901.....	40,162.97	33,612.57	12,697.38
1902.....	34,068.16	52,589.58	291,930.54
1903.....	75,889.85	69,260.45	86,551.78
1904.....	230,100.26	125,255.74	22,623.70
1905.....	477,737.11	62,057.66	19,215.54
1906.....	538,765.55	8,705.18	8,627.36
1907.....	37,122.97	429,743.31	122,992.15
1908.....	27,993.29	347,489.78	104,022.83
1909.....	58,701.12	465,981.82	201,133.33
1910.....	169,726.57	42,950.62	304,356.34
1911.....	52,631.12	12,412.25	412,448.79
1912.....	17,101.72	5,766.45	27,059.81
1913.....	18,878.14	6,544.44	10,907.14
1914.....	4,569.50	1,970.35	937.99
Total.....	2,112,202.55	1,925,354.53	1,709,468.11

The above figures for fiscal years 1896 to 1913, inclusive, are as shown in the Paymaster General's annual reports for said years, and the figures for 1914 (to Feb. 1, 1914) are per monthly reports of expenditures from navy yards.

Mr. BATHRICK rose.

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

Mr. PADGETT. Yes.

Mr. BATHRICK. I desire to state that these expenditures were made at the time, according to the information that was on hand at the time, and that there have been repeated changes and additions since then. The total expenditures cover these various periods down to the present time, and the money could not be stated to have been wasted.

Mr. COOPER. Mr. Chairman, will the gentleman yield there to an interruption?

Mr. PADGETT. Yes.

Mr. COOPER. May I ask the gentleman from Missouri [Mr. HENSLEY] from what report he read?

Mr. HENSLEY. I read from the report of Secretary Meyer, giving certain dates when these repairs were done on the vessels and the amounts expended.

Mr. COOPER. And the gentleman from Tennessee says that is incorrect?

Mr. PADGETT. No. I say that statement gives the totals up to that time, but it does not give the years in which the money was expended.

Mr. COOPER. The gentleman from Missouri says these repairs were all made during the three or four years he mentioned.

Mr. PADGETT. No; he said that Secretary Meyer stated that these ships had been laid up for general repairs between certain dates, and then he gave the total sums that had been expended on repairs of those vessels. The figures I am giving here commence with the commission of the vessel and cover the interval down to the present time.

Mr. COOPER. But the inference from what the gentleman from Missouri said was that those repairs were made between the dates that he named.

Mr. PADGETT. I do not know about that. I have just wanted to give the exact figures.

Now, the proposition I want to submit is this: At the opening of the general debate on this bill I asked for 18 hours of general debate, and all of it practically was consumed in the discussion of the battleship program. Now, we have had more than two hours of discussion on that same subject, all told, under the five-minute rule. I am going to request the House that we forego for the present any further discussion of battleship matters. We have had ample discussion. Nothing new is being brought out. There are many other things in this bill besides battleships, and I will ask that we proceed with the reading of the bill under the five-minute rule and not take up the time in debate.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. MOORE] insist on his point of order?

Mr. MOORE. I withdrew the point of order and submitted an amendment, whereupon the gentleman from Wisconsin [Mr. STAFFORD] renewed the point of order.

The CHAIRMAN. Did the gentleman from Wisconsin reserve a point of order?

Mr. STAFFORD. I reserved a point of order during the occupancy of the chair by another Member.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order. Until the point of order is disposed of, an amendment is not in order.

Mr. MOORE. I desire to speak on the point of order, and ask to have the amendment read for information.

The CHAIRMAN. If there be no objection, the Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 13, after the word "than," strike out "four" and insert "three"; and in line 16, on the same page, after the word "completed," strike out "four" and insert "three."

Mr. MOORE. Mr. Chairman, being a member of the Committee on Immigration and Naturalization, I intended to ask the chairman of the committee to explain why this item appears in the naval appropriation bill; but having conferred with the chairman of that committee and others on the committee, I do not desire to make a point of order against the paragraph, which I assume would be sustained if the question were raised. More particularly would I not want to raise that point of order at this time, when young men are being called upon to enlist in the Navy for purposes of national defense. Although technically this matter should have gone to the Committee on Immigration and Naturalization, there seems to be no good reason why we should discourage young aliens, who have taken up their residence in this country, from enlisting in the wars of the United States, if wars there be. And in submitting an amendment which I trust may have the attention of the gentle-

man from Wisconsin and of the Committee of the Whole, and may ultimately induce the gentleman from Wisconsin to withdraw his point of order, I have hoped to remedy an apparent defect in the law with regard to the naturalization of aliens who enlist in the Navy of the United States.

Last week two young men, both residents of the city of Philadelphia, laid down their lives at Vera Cruz. The question has arisen as to what is to be done with those dependent upon those two young men. They were both natives. I have made inquiry at the Navy Department and have learned that there is some sort of provision by which at least a half year's pay may be allowed to those dependent upon these two young sailors. In one particular case a year's pay would be none too large an allowance, because a mother has been left destitute with three minor children, and this is made worse by the withdrawal of the pittances which her patriotic boy sent home. There is only one other way to take care of their dependents after the enlistments—after wounds, and after death—and that is by pension. The pensions, if applied for, in the case of these two young men can not possibly exceed \$12 per month to a dependent mother or father; and this \$12 per month, or \$144 a year, is a small amount for a great Government to pay to those who sacrifice the lives of loved ones in the service of the country. But in the case of civil employees, men who are killed in an accident on river and harbor work, for instance, the law provides that we shall vote to the dependent relatives at least one year's pay.

That is for civil service. Now, it seems to me, where a boy, native or foreign born, enlists and offers his services, aye, even his life to this country—and it is extremely creditable to him if he does it as an alien boy—there ought to be some better return to those who have given him up than this \$12 per month, or this half year's salary.

Many boys of foreign birth are to-day going into the service of the United States. Some of them will be wounded and some of them will be killed. What are we going to do for their dependents?

Leaving that question aside for the moment, we have one or two anomalies in the law. We have provided in the case of a man who enlists in the Army that he may, after one year's honorable service, on the presentation of his certificate, be permitted to apply for naturalization and receive it in our Federal courts. Mark you, that alien who seeks after service in the Army to become a citizen of the United States has the advantage over other aliens; upon proof that he has served this country in the Army for one year he may then apply for naturalization and receive it. I do not know of any provision in this regard that takes care of the boy who enlists in the Navy. I presume the purpose of the Naval Affairs Committee in bringing in this four-years paragraph was to give some encouragement to the alien who enlists in the Navy, very much as we have already given encouragement to the soldier who enlists in the Army.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MOORE. I suppose it was the hope and expectation of the Naval Affairs Committee that after four years of honorable service, and on the presentation of the certificate, that would be sufficient proof to the court that the alien seaman was entitled to citizenship and might receive his naturalization papers. There is, as I believe, no special provision for the sailor who enlists in the naval service to-day. Strange to say—and rather surprising, too, in view of this request of the committee—we passed a law some years ago, which is operative to-day, granting the right of application for citizenship to the sailor who does not engage in the service of the United States, who does not take up arms in defense of this country, but who serves three years as a seaman on board a merchant vessel. To that man we say: "If you engage in the merchant marine service of the United States—if you, an alien, will help to build up our coastwise trade, if you will come under the American flag and serve in a merchant vessel, not a war vessel, where your life is at stake—then, on the mere certificate of the captain of your vessel that you have been on board that vessel for three years and that you have been honorably discharged, the court shall consider your application for naturalization."

So that we are in this position to-day. With a possible war on hand to the south of us, with the demand for young men to go to the front, with many men offering for enlistment who can not be naturalized because of the crowded condition of the courts, we say to an alien who enlists for service in the Army of the United States that he may become a citizen if it



is shown that he has served in the Army for one year, or if it is shown that he has engaged with the merchant marine service of the United States—that is to say, if he engages with some private employer who sends forth a ship floating the American flag and has served in that service three years, he is qualified for naturalization, and the court is authorized to grant him papers. But if the alien goes down to one of our navy yards or to one of our navy recruiting stations and offers his services to the United States, puts the musket on his shoulder, and goes into service in Vera Cruz or Tampico or the interior of Mexico, fighting for this country, there is no way that he can obtain naturalization unless he comes back and lives out his five years' residence and takes his chances in the courts.

If we have given a preference to the alien who serves in the Army and we let him in after one year, or as to the merchant marine service, we let him apply after three years' honorable service, then tell me why we should not reduce the period of the residence of the alien who enlists upon the battleship and takes his life in his hands for this country? Why, after an honorable service of three years, should he not be put on equal terms with an alien who serves on the merchant vessel or in the Army?

I am submitting the matter because at this time it seems to be just and fair to those who are asked to serve this country when the country needs their services. I hope the gentleman from Wisconsin will withdraw his point of order and permit the matter to be discussed.

Mr. STAFFORD. Mr. Chairman, reserving a point of order, I have listened enraptured, as Members of the House always do, to the eloquent words of the distinguished gentleman from Pennsylvania, but this question has nothing to do with the present situation that confronts us in Mexico, or as an incentive to enlistment, and whether it stays in this bill or not, it would not add one iota to the inducement to enlistment in the Navy.

The gentleman from Pennsylvania is an authority on matters pertaining to naturalization because he is a distinguished member of the Committee on Immigration and Naturalization. I am surprised in this particular instance that he has not refreshed his memory so as to really know what the amendment purposes to do. There is at present a law on the statute book that gives the seamen in the Navy and the Marine Corps the privilege of taking out citizenship papers after they have served five years. This provision reduces that to four years, but it has been pointed out by the officials of the Navy Department that the seamen have difficulty in proving their good moral character by two witnesses as is prescribed under the general law admitting aliens to citizenship, and so this bill provides for striking out the words after "good moral character," "as now provided by law." I think everybody in this Chamber will recognize the remarkable character of the amendment offered by the gentleman from Pennsylvania in reducing the period from four to three years. This provision is predicated on the idea that the seaman who has served for the full period of enlistment of four years is to receive citizenship based on that idea, and the gentleman from Pennsylvania wishes to adopt a conflicting amendment and substitute three years. This proposition has been very carefully considered by the officials of the Navy Department, and my purpose in reserving the point of order was to inquire not as to the matters discussed by the gentleman from Pennsylvania, because they are immaterial and irrelevant, but whether we should extend the law that now exists to those in the auxiliary service.

I can understand why it is wise to regard the service of men in the Navy removed from shore duty on the ship as equal to a residence on land. I can understand wherein there should be a qualification in relation to citizenship extended to those who enlist in the Navy where we require three years' service and one year's residence on land as to men enlisted in the Army.

But different conditions prevail entirely in the naval auxiliary service. I would like to inquire why you should extend the law to those in the naval auxiliary service?

Mr. PADGETT. Those in the naval auxiliary service that are in the Navy are and do have the benefit of it. But in the naval auxiliary service there are men who are employed there simply and are not under enlistment. This provision limits it to enlisted men. If an enlisted man is serving in the auxiliary service he is in the Navy just as much as if he was on a battleship. But in the auxiliary service there are men who simply are working for wages; they are employed as they would be in private life and are not enlisted men.

Mr. STAFFORD. Does this provision give everybody in the auxiliary navy—those employed on the Great Lakes and others—the privilege of citizenship after four years' service?

Mr. PADGETT. Yes; if they are enlisted men.

Mr. STAFFORD. What disqualifies these men from at any time qualifying for citizenship? They are on land, performing the duties the same as they would be in private life.

Mr. PADGETT. A great many of them are on colliers out on the sea.

Mr. ROBERTS of Massachusetts. I think the gentleman from Wisconsin is confusing the Naval Militia with the naval auxiliary.

Mr. STAFFORD. I was trying to understand whether this provision included the Naval Militia.

Mr. ROBERTS of Massachusetts. Oh, no, indeed. The naval auxiliary has a peculiar meaning in the service. It means colliers, supply ships, and classes of ships other than the battleships.

Mr. STAFFORD. Mr. Chairman, it was my main purpose—The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask for two minutes more.

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

Mr. STAFFORD. Mr. Chairman, it was my main purpose in reserving a point of order to obtain information as to whether this term "naval auxiliary" would extend to the Naval Militia?

Mr. PADGETT. No; that is not a part of the naval auxiliary at all.

Mr. STAFFORD. I can see there would be no applicability to that service.

Mr. PADGETT. Mr. Chairman, the Naval Militia are simply at sea at stated periods during the year for practice. They are not at sea all of the while. They go to their maneuvers and practice, just like the land militia or the National Guards go out and have their summer practices. This does not affect the Naval Militia.

Mr. STAFFORD. Mr. Chairman, I certainly would not wish to establish a bar to the gentleman from Pennsylvania [Mr. MOORE] offering his amendment to reduce the number of years from four to three years, and accordingly I withdraw the point of order. If the gentleman wishes to ask me any questions, I would be very glad to yield to him.

The CHAIRMAN. Without objection, the point of order will be withdrawn. [After a pause.] Is there objection?

Mr. MOORE. Mr. Chairman, in view of the unanimous action of the gentleman from Wisconsin [Mr. STAFFORD], I shall withdraw any comments upon the adjectives he applied to me and to my argument.

The CHAIRMAN. The Chair did not understand whether the gentleman from Pennsylvania rises to make objection to the withdrawal of the point of order. Is there objection? [After a pause.] The Chair hears none, and the point of order is withdrawn.

Mr. MOORE. Mr. Chairman, I repeat that in view of the magnanimity—because I want to use a big word—displayed by the gentleman from Wisconsin [Mr. STAFFORD] in withdrawing the point of order against this meritorious provision, I shall not comment upon the adjectives he applied to me in my argument. I believe there is a spark of patriotism, in fact, several sparks of patriotism, in his manly breast, and I appreciate that fact, and make public acknowledgment of it now; but I would like to say to the gentleman that I am unable to see wherein it is "ridiculous" to suggest—I withdraw that word, if I have misquoted the gentleman—that if we give the privilege of citizenship to a man who has served on a merchant vessel, after three years of service, upon the certificate of his captain only—that being sufficient to satisfy the courts—we should also accord that same privilege after a three-year service, whether the enlistment period be for three years or four years or five years—and in this case it happens to be four years—when that man enlists in the service of this country, and not in the service of any private vessel, and offers his life in our defense. Mr. Chairman, I do not believe the gentleman from Wisconsin [Mr. STAFFORD] means to criticize that situation, and I do not impute any such motive to him, but I can not harmonize the suggestion that it is fair to require an alien enlisting in the Army to serve only one year, in order to obtain his naturalization and become a citizen of the country, and not unfair to hold up an alien who engages upon a battleship for a period of four years because that happens to be the term of enlistment. Mr. Chairman, is the amendment before the House now?

The CHAIRMAN. No.

Mr. MOORE. Then, in view of the withdrawal of the point of order, I shall reoffer the amendment changing the period



from four to three years, and I will ask to have the amendment read.

The Clerk read as follows:

Page 8, line 13, after the word "than," strike out the word "four" and insert the word "three," and on line 16 of the same page, after the word "completed," strike out the word "four" and insert the word "three."

Mr. PADGETT. Mr. Chairman, as a matter of equalizing, I shall not object, but I can call to the gentleman's attention at once a matter that has occurred to me. Since the enlistment in the Navy is for a period of four years, the enlisted man can not have a discharge until he has served the four-year term of enlistment, and by providing that he should receive naturalization at the end of three years, there is a conflict at once.

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

Mr. PADGETT. Yes.

Mr. MOORE. Suppose an alien enlists in the Navy to-day, goes to Vera Cruz, arrives there two weeks hence, is wounded so that he is of no further use to the Navy, and is honorably discharged, comes back to this country, and seeks citizenship in order that he may conduct some petty little business with which to earn a living, why hold him up for four years before he is qualified to go to a court to apply for naturalization?

Mr. PADGETT. This provision reads:

Any alien of the age of 21 years and upward who may, under existing law, become a citizen of the United States, who has served or may hereafter serve for one enlistment of not less than four years in the United States Navy or Marine Corps, and who has received therefrom an honorable discharge or an ordinary discharge—

And so forth.

The regular enlistment is four years. To now strike out "four" and insert "three" would make it read:

For one enlistment of not less than three years.

Whereas there is no enlistment of three years provided for by law. It causes confusion immediately.

Mr. MOORE. Mr. Chairman, will the gentleman permit me to call attention to section 2174 of the United States Statutes, which provides:

Every seaman, being a foreigner, who declares his intention of becoming a citizen of the United States in any competent court and shall have served three years on board of a merchant vessel of the United States subsequent to the date of such declaration, may, on his application to any competent court, and the production of his certificate of discharge and good conduct during that time, together with the certificate of his declaration of intention to become a citizen, be admitted a citizen of the United States.

Mr. PADGETT. That is very true. He has no enlistment. There is no enlistment period prescribed by law. That is a permission. He could retire from the merchant service at will. Here the man has enlisted and the term of enlistment is fixed at four years. To strike that out and give him that privilege at the end of three years, when there is no enlistment period of three years, would create confusion. He would not be discharged at the end of the three years.

Mr. MOORE. What of the alien who is discharged by reason of wounds or for other cause before the four-year term of enlistment expires?

Mr. PADGETT. That may be an exceptional case, but that would be a confusion.

Mr. ROBERTS of Massachusetts. Mr. Chairman, the purpose of this section that is under discussion is not to induce young aliens to come into the service. As a matter of fact, we are not enlisting aliens; we are only enlisting American citizens. The real reason for this change of law is to take care of certain cases now in the Navy of aliens who, up to a certain period, were being allowed increased pay that came to them from reenlistment. The naval authorities had treated their services in the Navy as having made them citizens, but the comptroller rendered a decision that men were not entitled to this increase of pay from reenlistment unless they were American citizens.

Now, the law stated these men who were not citizens and who had been in the Navy and had been reenlisted could not become citizens, because they could not get the year's residence ashore required in most jurisdictions, and because they could not furnish a certificate of good conduct, and so forth. Hence, we propose to change the law as suggested by the Navy Department, to take care of those men, who are to all intents and purposes citizens and who have been getting the advantage of the increased pay on reenlistment until the comptroller decided it was unlawful, and to make it so that these men will become citizens and give them the same advantage that the native-born citizen has on reenlisting the second or third and fourth time. It is not at all for the purpose of bringing young aliens into the service. We do not want them. I mean by that no disparagement to the alien, but we are getting almost all of the membership of the naval personnel from American citizens and

we are only taking American citizens into the service now, hence the amendment of the gentleman would be useless.

Mr. SABATH. Will the gentleman yield?

Mr. ROBERTS of Massachusetts. I yield to the gentleman.

Mr. SABATH. Do I understand the gentleman to state that we do not accept aliens in the Navy now?

Mr. ROBERTS of Massachusetts. That is the practice today. We are not taking aliens in the Navy except on reenlistment. We reenlist a certain class of aliens who have been in the service and are very glad to do so. Now, if the period be changed to three years, as suggested by the gentleman from Pennsylvania, it does not touch the case at all of the men who have been enlisted and reenlisted for the four-year period and have not been able under the decision of the comptroller to get an increased pay by reenlistment, and I have great doubt if the three-year period would not defeat the very purpose of this bill, because they would not have served the three-year enlistment.

Mr. BRYAN. Mr. Chairman, the gentleman from Massachusetts [Mr. ROBERTS] has called attention to a situation that really has caused a great deal of embarrassment to enlisted men in the Navy and one that we ought to lose no opportunity of correcting. On May the 22d, 1913, I received a letter from George Penney, ship's cook, first class, United States Navy, written from the U. S. S. *Galveston*, which is as follows:

U. S. S. GALVESTON,

Navy Yard, Puget Sound, Wash., May 22, 1913.

Hon. JAMES W. BRYAN,

United States Representative from State of Washington,

Washington, D. C.

MY DEAR SIR: I am writing you to ask your help in the matter explained below.

It is a matter of the very greatest importance, and through no fault of my own. I am placed in very serious financial difficulties. Unless there should be some relief I shall lose my home and all my property, and if you can help me in this matter I shall consider myself under the greatest obligations to you.

I first enlisted in the Navy March 10, 1896. At the time I enlisted I was a citizen of Newfoundland, but my first papers had been taken out in Los Angeles, Cal., on June 20, 1892. My record has been excellent throughout my service. I served in the Spanish-American War on the U. S. S. *Charleston* and in the Philippine campaign following that war. I have served continuously in the Navy since I first enlisted, never remaining out more than one day between enlistments.

I hold war medals for the Spanish-American War and for Philippine campaign and three good-conduct medals.

I have considered myself a citizen of the United States ever since I reenlisted in 1903, as the recruiting officer enlisting me told me that my continuous service in the Navy made me a citizen, and so entered it on my enlistment record. I have been receiving extra pay given to a citizen for reenlisting ever since the issuance of General Order No. 34 by President Roosevelt in 1907.

By a decision of the Auditor of the Navy Department, my account has already been checked a large sum, and undoubtedly the checkage will finally be carried back until about \$428 is taken from me.

I have been married for 10 years and have two children. I have not yet paid for my home in Charleston, Wash.; and as there is a mortgage on this, I shall lose my home and find great difficulty in supporting my family unless something is done to relieve me.

The Navy Department is trying to get Congress to straighten out the tangle, as there are hundreds of men in my situation. I earnestly request that you visit the Bureau of Navigation and find out just how you can bring about speedy action in my case.

I met you in Charleston last fall and have always regarded you as a personal friend. I feel sure that if the matter is brought to the attention of those concerned in legislation that they will adopt some means of relieving myself and others in the same situation.

I have also written to Hon. WESLEY L. JONES, Hon. WILLIAM E. HUMPHREY, and Hon. RICHMOND P. HOBSON.

Respectfully, yours,

GEORGE PENNEY,

Ship's Cook, First Class, United States Navy.

Thereupon I communicated with the Secretary of the Navy, and I received the following letter:

DEPARTMENT OF THE NAVY,

Washington, June 10, 1913.

Hon. JAMES W. BRYAN, M. C.,

House of Representatives, Washington, D. C.

MY DEAR MR. BRYAN: I transmit herewith a letter addressed to you by George Penney, ship's cook, first class, on board of the *Galveston*, which he forwarded through official channels.

Through Executive orders additional pay has for several years been given to men for reenlistment, if they were citizens. In December last, in a decision of the comptroller, it was held that it was incumbent upon pay officers to satisfy themselves of the sufficiency of the evidence of citizenship, and as a result pay officers are requiring all men who have received these benefits to produce evidence of their citizenship.

Evidence of birth in the United States is in a great many cases impossible to secure, and while the difficulties are not so great in proving naturalization, there are hundreds of men in the same position as Penney, who have believed, by reason of their service and residence, that they were citizens. The department believes that under the act of Congress approved July 26, 1894, providing for the naturalization of aliens who have enlisted in the United States Navy and been honorably discharged after five years' service, Penney and others are really de facto citizens although they have never gone through the formality required by said act.

The hardships which the enlisted men of long service are made to suffer as the result of the above can not be too strongly dwelt upon. Checkages range from a few hundred to, in one case, over \$2,000, and some of the men face the proposition of working for years without a cent of money for themselves or their families unless relief is afforded by Congress.



A bill has been introduced by the chairman of the Naval Committee having in view this relief, and the department hopes that you will lend your earnest cooperation to the prompt passage of this bill.

Sincerely, yours,

JOSEPHUS DANIELS.

Then came the decision of the comptroller, to which the gentleman from Massachusetts has referred, in which the comptroller held that paymasters in paying this additional pay to these enlisted men paid it at their own peril in case it was discovered that the enlisted men were not citizens, and so it became necessary for these enlisted men to submit proof of their citizenship and their naturalization, which bore very hard upon these men. This enlisted man, George Penney, was subject to a charge of \$400 or \$500, and he states in his letter that he is liable to lose his home in the navy yard town of Charleston, Wash. The same situation prevails in the case of Peter Mason. I referred his case to the Secretary of the Navy, and I have the following reply:

DEPARTMENT OF THE NAVY,  
Washington, April 23, 1913.

Hon. J. W. BRYAN, M. C.,  
House of Representatives, Washington, D. C.

MY DEAR MR. BRYAN: I have received your letter of April 25, 1913, inclosing a communication of Peter Mason, Bremerton, Wash., regarding pay checked on account of his inability to present evidence of citizenship.

An Executive order of November 27, 1906, allowed \$5 additional pay per month to men who reenlisted after a discharge on account of expiration of enlistment and who were citizens of the United States, and this was later enacted into law.

Mason was discharged December 22, 1909, on account of expiration of enlistment, and reenlisted December 23, 1909, and as he made oath he was a naturalized citizen of the United States he was credited with the \$5 additional pay per month from the date of reenlistment.

Recently the Comptroller of the Treasury decided that the risk of making payments to enlisted men of the Navy under the above order rested solely with the pay officers, and that it was incumbent upon the pay officers to satisfy themselves as to the sufficiency of the evidence of citizenship presented, and that it was their right to refuse to make such payments unless in their judgment the evidence was legally sufficient. As a result a large number of men when called upon for evidence of citizenship found themselves in the same unfortunate position as Mason, and have been checked for the entire amount of the additional pay received.

While greatly sympathizing with these men, some of whom, like Mason, will receive no money for an extended period, the department has no discretionary power in the matter, as citizenship is a requirement. The department has in preparation the drafting of a bill which is intended to relieve these men from the checkage, and it is hoped there will be no difficulty in getting it enacted this session. The department is powerless in this matter without the aid of Congress.

Sincerely, yours,

JOSEPHUS DANIELS.

So far as making the amendment for three years is concerned, I do not see any great question concerning that, and, if desired, the amendment can be amended and worded in such a way as not to interfere with this additional pay. I have no doubt about that. The main object is the relief of these men who actually served in the Navy, who have fought and performed their duty, and who have rendered obedient and sufficient service. I think that the purpose is right, and there should be no hesitation about it, and I am glad the point of order has been withdrawn, and I hope that the provision will pass. Many of these men have rendered distinguished service, as was the case of George Penney, with his medals and his record of good service.

Mr. PADGETT, the chairman of the Committee on Naval Affairs, introduced a bill on June 6, 1913, containing the following provision:

That hereafter the increased pay authorized by law for each rating of the Navy during the second and subsequent periods of service of enlisted men who are citizens of the United States shall be paid to such enlisted men as are otherwise entitled thereto, irrespective of the citizenship of such enlisted men: *Provided*, That any and all enlisted men who have, subsequent to the 27th day of March, 1906, been carried on the records of the Navy Department as citizens of the United States shall be entitled to any increased pay to which they would have been entitled if citizens of the United States: *And provided further*, That where any enlisted men of the Navy have received such increased pay and have subsequently been checked on account of their inability to prove that they were citizens of the United States during the time they were in receipt of such increased pay, the proper accounting officers of the Treasury are hereby authorized and directed to reopen the accounts of such enlisted men and to credit them respectively with the amounts so checked against them.

I think it is absurd to place men in the situation of Penney and Mason and many others on a different plane as to pay and privileges than others who may have more definite records as to citizenship. There is no question as to their service; there should be no further questions raised.

Mr. SABATH. Mr. Chairman, I am just as jealous of the rights and jurisdiction of my committee as the gentleman from Pennsylvania or any other member of that committee. However, when a committee refuses to act on an important matter and refuses to listen to appeals and refuses to report bills placed before them which are fair and just, then I can not criticize some other committee which has acted in the right direction when ours has failed. In fact, I congratulate the

chairman of the Committee on Naval Affairs in reporting the bill which embodies this provision. I think it is legislation aimed in the right direction, and it should be adopted. I can not agree with the gentleman from Pennsylvania in his amendment. I really believe that it will not benefit the bill in any way. I think the provision as it now reads is much stronger than the provision that we have pertaining to those aliens who enlist in the Army and those who enlist in the merchant marine. In those cases they are obliged to file a declaration of intention, whereas this section reads that there is no need for such enlisted alien to file a declaration of intention. It provides that after he has served his four years, or after he is honorably discharged, he can apply for citizenship and it will be granted without his making an application beforehand and filing an intention or declaring his intention to become a citizen.

Mr. MOORE. How does the gentleman explain the difference between the three years allowed to the man in the merchant service and the four years required of the man in the naval service?

Mr. SABATH. Do you mean section 2174?

Mr. MOORE. Yes.

Mr. SABATH. That section provides for a seaman who is a foreigner, but who declares his intention to become a citizen of the United States. Now, in that case he must first declare, and the chances are 99 out of 100 that he will not declare his intention until he has spent two, three, four, or, perhaps, five years in the country. In fact, it matters not how long he has been a resident of the United States, he must wait three years more after he has filed his declaration of intention.

Mr. MOORE. But, on the face of it, does he not have one year's advantage over the man in the naval service if this provision is carried to-day?

Mr. SABATH. Well, as I have stated to the gentleman from Pennsylvania before, I do not think he has, because under this provision it is not necessary for him to file the declaration of intention of becoming a citizen.

Mr. MOORE. There is certainly one year's difference between three years and four years. I will ask the gentleman how he accounts for the difference between the one year of service required of a man who enlists in the Army and the four years that are required of the man who enlists in the Navy?

Mr. SABATH. To what section or provision does the gentleman from Pennsylvania refer as to the one year in the Army?

Mr. MOORE. It is in the Revised Statutes.

Mr. SABATH. I do not know of any section that would give anyone the right to become an American citizen in one year.

Mr. MOORE. The section I read said that the alien enlisting in the Army can after one year's service, or on proof that he served one year, have the court approve his papers for naturalization.

Mr. SABATH. Well, I am not acquainted with that provision.

Mr. MOORE. I showed it to the gentleman. The one-year provision is clear. The soldier submits to the court evidence that he served one year, and that is to be regarded as sufficient proof.

Mr. SABATH. The gentleman from Pennsylvania [Mr. MOORE] is under the wrong impression. He has reference to section 2166, which provides:

Any alien of the age of 21 years and upward who has enlisted, or may enlist, in the armies of the United States, either the regular or volunteer forces, and has been, or may be hereafter, honorably discharged shall be admitted to become a citizen of the United States upon his petition without any previous declaration of his intention to become such; and he shall not be required to prove more than one year's residence within the United States previous to his application to become such citizen; and the court admitting such alien shall, in addition to such proof of residence and good moral character, as now provided by law, be satisfied by competent proof of such person's having been honorably discharged from the service of the United States.

Therefore this means one additional year after his honorable discharge from the Army and not that he can be naturalized in one year because of the fact that he has been in the Army.

Mr. MOORE. I will say to the gentleman that there is a discrepancy there. I do not care whether the Naval Committee remedies this or it is done somewhere else.

Mr. SABATH. Had the Committee on Immigration and Naturalization done as you and I requested the last four or five years, all of these provisions would have been embodied in one and made much more liberal than they are now, and there could be no misunderstanding or misconception. For that reason I welcome this provision in the bill, and, of course, I would not object to the gentleman's amendment, realizing that he means well and that he at all times desires to aid and assist those deserving aliens who are willing to sacrifice their lives for their adopted country, were it not clear to me that it may

endanger the provision as well as the relief contemplated by the committee.

Mr. MOORE. If he fights for us, we want to give him a chance for citizenship.

Mr. SABATH. I agree with you, and I want to say that that is what I have been asking and advocating ever since I first became a Member of this House.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

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

Mr. MOORE. Division, Mr. Chairman.

The committee divided; and there were—yeas 14, nays 30.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Outfits on first enlistment: Outfits for all enlisted men and apprentice seamen of the Navy on first enlistment, at not to exceed \$60 each, \$800,000: *Provided*, That the Secretary of the Navy is authorized to issue a clothing outfit to all enlisted men serving in their second enlistment who failed to receive an outfit of the value authorized by law on their first enlistment, or who, having received such outfit, were required to refund its value on account of discharge prior to expiration of enlistment: *Provided further*, That the net cost to the Government of clothing outfits furnished any one enlisted man shall not exceed \$60.

Mr. MADDEN. Mr. Chairman, I reserve a point of order for the purpose of asking the chairman of the committee what the purpose of these two provisos is.

Mr. PADGETT. Under the law, when a person enlists in the Navy he is entitled to an outfit of \$60 for clothing. There was a case brought to the attention of the committee by the gentleman from California [Mr. STEPHENS] and also by the department—and it appears in the hearings—where a young man enlisted, and before he got his outfit he was discharged and got no outfit on that enlistment, and then he reenlisted, and when they went to give him an outfit the authorities held that he could not get any outfit at all; that he ought to have gotten it on his first enlistment; and not getting it on his first enlistment, he was not entitled to it. And when he enlisted a second time, that being a second enlistment, the law did not provide for any on second enlistment. And this sailor who enlisted did not get the clothing that he was entitled to get.

Mr. MADDEN. And this is just made to meet a special case, then, is it not?

Mr. PADGETT. No; it is to meet cases of that kind. There are other cases, but this one is illustrative.

Mr. ROBERTS of Massachusetts. I might, if the chairman will pardon me, say it quite frequently happens that during the first enlistment the man does not draw the full amount to which he is entitled, and on his second enlistment he is not allowed to draw the balance, and it is thought by the department only fair, especially as he comes back into the service, that he should then have the undrawn balance allowed to him.

Mr. MADDEN. And a new outfit as well?

Mr. ROBERTS of Massachusetts. No.

Mr. PADGETT. To finish out the outfit which he failed to get.

Mr. ROBERTS of Massachusetts. The outfit only comes to the men on first enlistment.

Mr. MADDEN. Mr. Chairman, I withdraw the point of order.

Mr. STEPHENS of California. Mr. Chairman, I would like to say one word about this very proposition. The case was brought to the attention of the committee because of a young man at Los Angeles, a most excellent young man, who enlisted in the Navy with the consent of his father. He was passed by the surgeon there, taken to San Francisco, and passed by the surgeon there, and then taken to the training school, where he was rejected. In all he was in the service six days. Within 30 days after that time the Secretary of the Navy permitted him to reenlist. He did so, and when about to draw his first month's pay was informed that there was nothing coming to him, because his clothing outfit was charged to him. Enlisted men are entitled to a clothing allowance of \$60 on first enlistment. The boy was declared to be serving his second enlistment, and therefore not entitled to a clothing allowance, notwithstanding the fact that he never before had drawn one single penny of allowance for clothing. The case came to Washington, and it was decided here by the law department of the Navy that this was the young man's second enlistment and not his first, and therefore he was not entitled to clothing allowance. Thus a technicality had worked and would continue to work a rank injustice to honest and patriotic young men anxious to serve their country and their country's flag. This provision is put in here to cure cases of this kind, of which there have been

quite a number. The Navy Department desires this change in the law for the good of the service.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Naval training station, Great Lakes: Maintenance of naval training station: Labor and material, general care, repairs, and improvements of grounds, buildings, and piers; street car fare; purchase and maintenance of live stock, and attendance on same; motor-propelled vehicles, wagons, carts, implements, and tools, and repairs to same; fire apparatus and extinguishers; gymnastic implements; models and other articles needed in instruction of apprentice seamen; printing outfit and material, and maintenance of same; heating and lighting, and repairs to power-plant equipment, distributing mains, tunnel, and conduits; stationery, books, schoolbooks, and periodicals; washing, packing boxes and materials; lectures and suitable entertainments for apprentice seamen; and all other contingent expenses: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, and messenger service for the fiscal year ending June 30, 1915, shall not exceed \$1,500; in all, naval training station, Great Lakes, \$98,457.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] moves to strike out the last word.

Mr. MADDEN. Mr. Chairman, I notice that the committee has reduced the amount for clerical hire to be paid out under the direction of the Secretary of the Navy from \$44,553.36 to \$1,500. I was wondering whether the reduction would cripple the service there.

Mr. PADGETT. They are not reducing it there. That old amount was the amount for clerical service, drafting, and so forth, that was in the bill while the station was under construction and building. It included pay of the building force. Last year their drafting expenses, and so forth, were a little less than \$1,500, and we put it at \$1,500. That is a little bit more than the actual expenses of last year.

Mr. MADDEN. This clause provides that "the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, and messenger service for the fiscal year ending June 30, 1915, shall not exceed \$1,500"; so that really it was not mere clerical service last year, but included a lot of other service?

Mr. PADGETT. Yes; that is right. Last year it did not amount to \$1,500.

Mr. MADDEN. And there is no reduction now?

Mr. PADGETT. There is no reduction. The other figures were put in there at the time that that clerical and drafting force was used in the work of building the station.

Mr. MADDEN. One thousand five hundred dollars would about pay one man as a clerk, would it not?

Mr. PADGETT. Yes.

Mr. MADDEN. Is the clerical work done by the officers?

Mr. PADGETT. Yes, sir.

Mr. MADDEN. Or the enlisted men, or both?

Mr. PADGETT. It is done by apprentice boys and others there.

Mr. MADDEN. And they are not classed as "clerks" at all?

Mr. PADGETT. No.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Naval Home, Philadelphia, Pa., pay of employees: One secretary, \$1,600; 1 foreman mechanic, \$1,500; 1 superintendent of grounds, at \$720; 1 steward, at \$720; 1 store laborer, at \$480; 1 matron, at \$420; 1 beneficiaries' attendant, at \$300; 1 chief cook, at \$480; 1 assistant cook, at \$360; 1 assistant cook, at \$300; 1 chief laundress, at \$240; 5 laundresses, at \$192 each; 4 scrubbers, at \$192 each; 1 head waitress, at \$300; 8 waitresses, at \$192 each; 1 kitchen servant, at \$360; 8 laborers, at \$360 each; 1 stable keeper and driver, at \$480; 1 master-at-arms, at \$720; 2 house corporals, at \$300 each; 1 barber, at \$360; 1 carpenter, at \$846; 1 painter, at \$846; 1 painter, at \$720; 1 engineer for elevator and machinery, \$720; 5 laborers, at \$540 each; 1 laborer, at \$420; 1 laborer, at \$360; total for employees, \$22,696.

Mr. FOWLER. Mr. Chairman, I reserve the point of order on the paragraph.

The CHAIRMAN (Mr. JOHNSON of Kentucky). The gentleman from Illinois [Mr. FOWLER] reserves a point of order on the paragraph.

Mr. FOWLER. Mr. Chairman, I desire to call the attention of the chairman of the committee to a few increases of salaries.

Mr. PADGETT. Yes, sir.

Mr. FOWLER. On page 14, line 20, there is one beneficiaries' attendant at \$300. That is an increase of salary from \$240 to \$300?

Mr. PADGETT. Yes, sir; but there are several other increases in the paragraph.

Mr. FOWLER. I am not complaining at the increases at all. I commend the committee for the increases. What I was wanting to do, however, was to ask the chairman of the committee why more of the low, and exceedingly low, salaries have not been increased?



Mr. PADGETT. We put in all that was recommended. The Naval Home there is maintained out of what is known as the "Navy pension fund." The men there that are in charge are in full sympathy with the increases, and we put in every one that they have recommended. The salaries are fixed in proportion to the time taken and the amount of work that is done by the different people.

Mr. FOWLER. Did you increase the salary of all of these low-salaried people who work full time?

Mr. PADGETT. Every one that was recommended was increased; yes, sir.

Mr. FOWLER. I mean all that put in full time?

Mr. PADGETT. I could not answer that, because I have no information on the subject as to which ones put in full time and which ones do not.

Mr. FOWLER. I see. That would be real information for me if it were given.

Mr. PADGETT. We know that the governor of the home is in full sympathy with them, and when he sent in his recommendations we took them just as he sent them.

Mr. FOWLER. You did not go into the question, then, as to whether the other low-salaried people were deserving of an increase?

Mr. PADGETT. We did not, because the governor of the home did not appear himself directly before us, but we took his recommendations.

Mr. FOWLER. I presume the gentleman believes that an increase ought to be made in all these salaries?

Mr. PADGETT. I think certainly no injustice was done to those who were not increased.

Mr. FOWLER. Certainly no injustice was done to those who were increased, for even a most economical man would recommend an increase in those cases. But I find that there are five laundresses, at \$190 each, who were not increased. I would like to know if they put in full time?

Mr. PADGETT. I am not prepared to answer, because I do not know. I do not know whether they do other work for private customers or not. We did not go into that. We took up the question upon the submission of recommendations for increases. We thought they were proper recommendations, and we granted all of them. If the governor of the home were to submit recommendations for others and would show that their present salaries are not sufficient for the work they do and the time they are putting on it, I assure the gentleman those recommendations would have the sympathetic consideration of the committee.

Mr. FOWLER. Where does this money come from?

Mr. PADGETT. It is an institution of a Navy fund originating from prizes taken by the Navy in years past and turned into the Treasury, and it constitutes a trust fund. The Naval Home is supported out of that fund, and the remainder of the fund, the interest, is turned over to the Secretary of the Interior and disbursed by the Commissioner of Pensions in the payment of pensions.

Mr. FOWLER. Is the interest on this fund great enough to increase the salaries of these low-salaried people?

Mr. PADGETT. Oh, yes.

Mr. FOWLER. I would be very glad to see it done.

Mr. PADGETT. Well, sir, if those in charge submit a recommendation to that effect, the committee will give it very sympathetic consideration. I will say to the gentleman that in the time I have served on the Committee on Naval Affairs, for 10 years, I do not remember a single instance where the committee has failed to increase these low-priced salaries at that home upon a recommendation; but the gentleman can well appreciate that we can not on our own initiative undertake to do it, not knowing how much time these people may put in or the value of the work which they do.

Mr. FOWLER. I am well aware of the fact that it will take some time and investigation in order to determine the relative value of the service done by these various people, and of course the value of the service ought to determine the amount of salary. But I observe in this list perhaps the very lowest salaries paid to any public servants.

Mr. PADGETT. Yes; they are. But—

Mr. FOWLER. I am in sympathy with an increase to a point which will be respectable and decent.

Mr. PADGETT. The committee has the same feeling that the gentleman has, and we have so acted in all cases, and the governor of the home is in full sympathy with those who are employed, and we felt that wherever he made a recommendation we could follow it; and if he did not make a recommendation, it was because he was satisfied that the service performed was being fully compensated.

Mr. FOWLER. Mr. Chairman, I do not desire to make a point of order. I would rather offer an amendment to increase

the salaries which have already been increased slightly than to interpose a point of order.

The CHAIRMAN. If there be no objection, the point of order will be withdrawn and the Clerk will read.

The Clerk read as follows:

Maintenance: Water rent, heating, and lighting; cemetery, burial expenses and headstones; general care and improvements of grounds, buildings, walls, and fences; repairs to power plant equipment, implements, tools, and furniture, and purchase of the same; music in chapel and entertainments for beneficiaries; stationery, books, and periodicals; transportation of indigent and destitute beneficiaries to the Naval Home, and of sick and insane beneficiaries, their attendants and necessary subsistence for both, to and from other Government hospitals; employment of such beneficiaries in and about the Naval Home as may be authorized by the Secretary of the Navy, on the recommendation of the governor; support of beneficiaries, and all other contingent expenses, \$54,421; in all, for Naval Home, \$77,117, which sum shall be paid out of the income from the naval pension fund: *Provided*, That all moneys derived from the sale of material at the Naval Home which was originally purchased from moneys appropriated from the income from the naval pension fund and all moneys derived from the rental of Naval Home property shall be turned into the naval pension fund: *And provided further*, That hereafter all moneys belonging to a deceased beneficiary of the Naval Home or derived from the sale of his personal effects, not claimed by his legal heirs or next of kin, shall be deposited with the pay officer of the Naval Home; and if any sum so deposited has been or shall hereafter be unclaimed for a period of two years from the death of such beneficiary it shall be deposited in the Treasury to the credit of the naval pension fund: *And provided further*, That the governor of the Naval Home is hereby authorized and directed, under such regulations as may be prescribed by the Secretary of the Navy, to make diligent inquiry in every instance after the death of an inmate to ascertain the whereabouts of his heirs or next of kin: *And provided further*, That claims may be presented hereunder at any time within five years after moneys have been so deposited in the Treasury, and, when supported by competent proof in any case after such deposit in the Treasury, shall be certified to Congress for consideration: *And provided further*, That the pensions of beneficiaries of the Naval Home shall be disposed of in the same manner as prescribed for inmates of the Soldiers' Home, as provided for in section 4 of the act approved March 3, 1883, under such regulations as the Secretary of the Navy may prescribe, except that in the case of death of any beneficiary leaving no heirs at law nor next of kin any pension due him shall, subject to the foregoing provisions, escheat to the naval pension fund.

Mr. MANN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved by the gentleman from Illinois.

Mr. MANN. I should like to ask the gentleman as to the first proviso at the top of page 16:

That hereafter all moneys belonging to a deceased beneficiary of the Naval Home or derived from the sale of his personal effects, not claimed by his legal heirs or next of kin, shall be deposited with the pay officer of the Naval Home, and if any sum so deposited has been or shall hereafter be unclaimed for a period of two years from the death of such beneficiary it shall be deposited in the Treasury to the credit of the naval pension fund.

Is there now any authority for anyone to sell his personal effects?

Mr. PADGETT. Under a law that was passed two or three years ago there is a provision that they shall be sold and the proceeds kept for a certain length of time, and if not claimed by the next of kin or those entitled under the law, the money shall be turned into the general fund of the Treasury. This provides that it shall go into the naval pension fund.

Mr. MANN. That is the only difference?

Mr. PADGETT. Yes.

Mr. MANN. The authority now exists for the person in charge of the Naval Home to sell?

Mr. PADGETT. Yes. They hold the proceeds for a certain length of time and ultimately turn the money into the general fund, and this provides that it shall go into the naval pension fund.

Mr. MANN. I see this provides that it shall go into the pension fund if it is not claimed within two years, and then there is a further provision that anybody can present a claim within five years, in which case it shall be certified to Congress.

Mr. PADGETT. Yes.

Mr. MANN. I take it with the expectation that it shall then be paid out of the general fund.

Mr. PADGETT. No; out of the pension fund. This would go into the naval pension fund, and then would be paid out of it.

Mr. MANN. We do not appropriate any money out of the naval pension fund, do we?

Mr. PADGETT. All of this is appropriated out of the naval pension fund.

Mr. MANN. All of which?

Mr. PADGETT. Beginning with the paragraph headed "Naval Home, Philadelphia," on page 14, all of that goes out of the naval pension fund.

Mr. MANN. Do they pay any money out of the naval pension fund except what is appropriated?

Mr. PADGETT. No; except there is a general provision of law that the interest upon what is remaining over shall be turned over to the Secretary of the Interior, who turns it over

to the Commissioner of Pensions, and it becomes a part of the pension fund and is distributed in the payment of pensions.

Mr. MANN. Of naval pensions?

Mr. PADGETT. Yes.

Mr. MANN. Is there legislation similar to this in reference to the soldiers' homes?

Mr. PADGETT. This puts the Naval Home in this particular upon the same basis as the soldiers' homes. Under the law with reference to soldiers' homes the beneficiary goes into the soldiers' home and his pension continues. It is there paid to the governor of the home and held for his benefit, or it goes to his wife and children under the provisions of the law.

Mr. MANN. In the soldiers' home?

Mr. PADGETT. Yes.

Mr. MANN. I think it goes to the pensioner.

Mr. PADGETT. It goes to the pensioner, but under certain conditions a part of it can be paid to his wife.

Mr. MANN. It can, if he consents to it.

Mr. BRYAN. It can without his consent.

Mr. PADGETT. In the discretion of the governor of the home—

Mr. MANN. I do not think it is in the discretion of the governor of the home.

Mr. PADGETT. When a naval pensioner goes to the Naval Home he loses his pension altogether; it stops. This continues his pension and provides for its disposition upon the same terms as beneficiaries in the soldiers' homes receive their pensions.

Mr. MANN. I do not understand how this continues a man's pension. The gentleman says inmates of the Naval Home receive no pensions.

Mr. PADGETT. They do not while in the Naval Home.

Mr. MANN. Then they have no pension due them if they die without heirs or next of kin?

Mr. PADGETT. No.

Mr. MANN. This provides for the disposition of the pension when they die without heirs or next of kin.

Mr. PADGETT. But a man may have some other little effects in the home, which he may have purchased.

Mr. MANN. Oh, but here is the language of the bill:

Except that in the case of the death of any beneficiary leaving no heirs at law nor next of kin—

It should be "or next of kin"—

any pension due to him shall, subject to the foregoing provision, escheat to the naval pension fund.

Mr. PADGETT. Yes.

Mr. MANN. You say he does not get a pension?

Mr. PADGETT. He does not under existing law; but this, as I understand it, provides for it. This was sent down by the department. I have not read it for some time. It provides that he shall continue to draw his pension if he is in the Naval Home, the same as they do in the soldiers' homes, and that is the purpose of this legislation.

Mr. MANN. I think the gentleman must be mistaken about the naval pensioners in the home not receiving pensions now.

Mr. VARE. At the present time while they are in the Naval Home they do not get any pensions.

Mr. MANN. A pensioner in the Naval Home does not receive a pension?

Mr. VARE. While they are in there it is turned over to the fund.

Mr. MANN. If that is the case, I will make a point of order on the last proviso at the bottom of page 16.

Mr. PADGETT. I will say to the gentleman that the purpose of that is to allow them to receive their pensions while in the Naval Home, and to let the pensions be distributed, as is done now for beneficiaries in the soldiers' homes. We have put the two upon an identical basis.

That is the object and purpose, and the Secretary and governor of the Naval Home have so recommended. I will call the attention of the gentleman to the statement of the governor of the home found on page 31 in the hearings. It is as follows:

It is not the intention to permit persons receiving large pensions or retired pay to enter and reside at the home, but to make the home available for such needy persons whose pensions are small and who, in many cases, have a wife, child, or dependent relative. The former class can easily be prevented from entering the home by investigating their cases and examining their pension certificates, and by giving preference to men of long service and small pensions and to those who have been disabled in the service in line of duty. The deprivation of their pensions has often caused the separation of a beneficiary's family; a pensioner becomes too old and feeble to earn sufficient to add to his pension and support himself and wife, and his pension being too small to aid in his support, not to speak of that of his wife, the only course open to him is to have his wife or child placed in some charitable institution, a charge on some State, while he is compelled to enter the home and surrender his pension. Were he allowed to retain his pension, or at least to have the benefits of it, as is the case with inmates of the Soldiers' Home and the National Home for Disabled Volunteer Soldiers, his pension would probably be sufficient to support, in part at least, his wife, and the latter could, if she so desired, take up her

residence near the Naval Home, and the two thus be enabled to spend their last days together, instead of being separated and their homes broken up in their declining years.

Mr. MANN. How did this pension fund arise?

Mr. PADGETT. It came from the sale of prizes captured by the Navy. The prizes were sold and the proceeds turned into the Treasury of the United States as a trust fund, and there is a certain amount of interest that accumulates upon it each year. The Naval Home is supported out of the interest of that trust fund, and the surplus of it is turned over to the Pension Department, as I explained a moment ago, and used to pay the Navy pensions.

Mr. MANN. How much is the surplus?

Mr. PADGETT. Several hundred thousand dollars. The principal is about \$14,000,000. I think it is well to let the old men have these pensions.

Mr. MANN. The gentleman talks about old men; a lot of them are not old. This is for the regular service.

Mr. PADGETT. But many of them have reached old age.

Mr. MANN. Living in the soldiers' home they reach old age, and they are pretty well taken care of.

Mr. PADGETT. In the soldiers' home they get their pensions, but in the Naval Home they are deprived of the pensions.

Mr. MANN. The people who were in the Civil War do not go to the naval home at all.

Mr. PADGETT. Some of them do.

Mr. MANN. I think not, but I do not know.

Mr. PADGETT. I have not specially investigated it.

Mr. VARE. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. VARE. For the benefit of the committee, I will say that I recently visited the sailors' home on Grays Ferry Avenue, Philadelphia. My recollection is that at that time there were between 80 and 90 inmates, and that their ages ranged from 70 to 95 years. My understanding of the matter is that these men under the existing law turn over their pensions to this treasury with a view to securing a home there. If this proviso is allowed to stay in the bill, they would not only have a place to live, but also receive pensions as well.

Mr. PADGETT. That is true.

Mr. MANN. I suppose the men who are 95 years old want to take care of their wives, who live just outside. As I understand the gentleman from Pennsylvania, there is no one there under 70 years of age.

Mr. VARE. That is my understanding.

Mr. MANN. Mr. Chairman, I make a point of order on the proviso, beginning in line 21, page 17.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

#### BUREAU OF ORDNANCE.

Ordnance and ordnance stores: For procuring, producing, preserving, and handling ordnance material; for the armament of ships; for fuel, material, and labor to be used in the general work of the Ordnance Department; for furniture at naval magazines, torpedo stations, and proving ground; for maintenance of the proving ground and powder factory and for target practice, and for pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, and naval magazines: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for chemists, clerical, drafting, inspection, watchmen, and messenger service in navy yards, naval stations, and naval magazines for the fiscal year ending June 30, 1915, shall not exceed \$468,000. In all \$5,800,000: *Provided*, That hereafter no part of any appropriation shall be expended for the purchase of shells or projectiles for the Navy except for shells or projectiles purchased in accordance with the terms and conditions of proposals submitted by the Secretary of the Navy to all the manufacturers of shells and projectiles and upon bids received in accordance with the terms and requirements of such proposals: *Provided*, That this restriction shall not apply to purchases of shells or projectiles of an experimental nature or to be used for experimental purposes and paid for from the appropriation "Experiments, Bureau of Ordnance": *Provided*, That hereafter the Secretary of the Navy is hereby authorized to make emergency purchases of war material abroad: *And provided further*, That when such purchases are made abroad, this material shall be admitted free of duty.

Mr. HOBSON. Mr. Chairman, I wish to offer the following amendment.

The Clerk read as follows:

Amend, page 17, line 22, after the word "of" and before the word "shell," insert the words "armor-piercing," so as to read: "purchase of armor-piercing shells or projectiles."

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

Mr. HOBSON. Certainly.

Mr. MANN. Does not the language of the bill and the law cover the gentleman's proposition? They could not purchase any shells or projectiles. This is only a prohibition.

Mr. HOBSON. Yes; and I want it to be so that they could purchase torpedo shells.

Mr. MANN. The gentleman wants to except torpedo shells?

Mr. HOBSON. Yes. It makes the provision apply only to armor-piercing shells. The torpedo shell is in a stage which



may be called experimental, but I hope before the fiscal year is over that it will have been accepted and be beyond the experimental stage, and that when the question of a purchase of torpedo shells comes up it may properly be considered by the Government. When that time comes this limitation might work a hardship and prevent torpedo shells being purchased by the service. This limitation was developed in the matter of armor-piercing shells.

Mr. FOWLER. Mr. Chairman, if I understand the amendment, it seeks to carry with this proviso the idea of armor-piercing shells.

Mr. HOBSON. No; it is to carry limitation only with reference to armor-piercing shells. The proviso is a limitation, and I want it limited to armor-piercing shells.

Mr. FOWLER. I would like to have the amendment read, so that I may understand it.

The CHAIRMAN. Without objection, the amendment will be again reported.

The Clerk again read the amendment.

Mr. HOBSON. Thus the gentleman will see that the proviso places a limitation on the purchase, and that it will apply only to armor-piercing shells which are commercially manufactured and sold, and it would remove the limitation of the proviso from the purchase of torpedo shells.

Mr. FOWLER. The word "projectiles" does not seem to be sufficiently limited. If the gentleman's amendment carries, it would prohibit the purchase of "armor-piercing shells or projectiles."

Mr. HOBSON. Then, Mr. Chairman, I will ask to insert, before the word "projectiles," the word "armor-piercing," so that it will read "armor-piercing shells or armor-piercing projectiles."

Mr. ROBERTS of Massachusetts. Will the gentleman from Alabama yield?

Mr. HOBSON. I will.

Mr. ROBERTS of Massachusetts. I want to ask the gentleman if he has in mind exempting from the limitation of purchase the so-called Isham shell?

Mr. HOBSON. No; but I have in mind experiments carried on in connection with the Isham shell. The art of manufacturing a torpedo shell has been developed in many other lands besides our own.

I am in hopes that there will be other torpedo shells put into the field along with the Isham shells, and that the development may be sufficiently advanced before the next fiscal year ends to warrant the purchase of them.

Mr. ROBERTS of Massachusetts. Mr. Chairman, if the gentleman's amendment is adopted, it will then leave it within the power of the department to purchase as many of the so-called Isham shells as they see fit, will it not?

Mr. HOBSON. I think it would; or any other torpedo shell or any other form of shell besides the armor-piercing shell, without these limitations; but the gentleman will see that it is not incumbent upon the department to purchase anything under that proposition.

Mr. ROBERTS of Massachusetts. I realize, Mr. Chairman, it is not incumbent upon them to purchase, but it is within their power to do so if the right pressure is brought to bear. I want to say in regard to the so-called Isham shell that the last report I had, from personal interviews with certain officials of the department, impressed me so unfavorably that I would like to have some way found to stop the purchase of any more Isham shells until those that have been submitted are in shape to conform to the requirements of the department and have been tested.

Mr. FOWLER. Mr. Chairman, I decline to yield any further.

The CHAIRMAN. The gentleman from Illinois declines to yield further.

Mr. HOBSON. Mr. Chairman, I will ask unanimous consent to proceed for five minutes.

The CHAIRMAN. But the gentleman from Alabama has not the floor. The gentleman from Illinois [Mr. FOWLER] has the floor.

Mr. FOWLER. Mr. Chairman, I am very much interested in this discussion, because I do not think there ought to be a limitation on the character of shells which the Government should manufacture. The progress which is being made now, and which has already been made, has demonstrated that there are other shells than the armor-piercing shells which are more highly destructive than even the armor-piercing shell itself, if I am correctly informed. I understand that it has been scientifically demonstrated that what is called the torpedo shell, or the high explosive shell, is able to destroy a war vessel much more readily than an armor-piercing shell. That was demonstrated in the experiment made on the *Puritan*, wherein one

high-explosive shell put her out of business in two minutes, and yet at the same time the experiment was going on with the armor-piercing shell on the *Texas*, and for two days they pounded away on the *Texas* with the armor-piercing shell; and I understand that they never did sink her by virtue of that bombardment.

Mr. Chairman, I ask unanimous consent to proceed for four minutes longer, if my time is about up, and I apprehend that it is.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOWLER. Mr. Chairman, I understand also that there was another demonstration of the power of the armor-piercing shell which ought to appeal to the people of America in no uncertain terms. It is known that we furnished Russia a large portion of her armor, indeed, that we made some of her vessels in America. In the Battle of Tsushima the story was told in such a decisive way that there can be no mistake. The war vessels of Japan, as I am informed, were armed with high-explosive shells, and from the time the Japanese fleet sighted the Russian fleet, which was armed with armor-piercing shells, the Japanese fleet began to shell the Russian fleet and really destroyed it with the high-explosive shells before the Russian fleet could get close enough to use the armor-piercing shells effectively. Really, before Rojestvensky knew that real danger was at hand, one of the greatest Russian vessels had received what we call a solar-plexus blow and was knocked out, and the rest of the ships of that great navy of Russia went to the bottom of the sea before they ever got close enough to do any damage with the armor-piercing shell.

If this be true, then we ought to encourage the manufacture of the high-explosive shell, because if we come in contact with the Japanese Navy or the Germany Navy we will find that they are armed with the high-explosive shell. I understand that German war vessels are protected by triple-plate armor and Japan's by double-plate armor, while our war vessels have only single-plate armor; so that if we should be without the high-explosive shells and come in contact with either one of those great fleets, in my opinion they would be able to destroy us with those high-explosive shells before we could get in reach of them with our armor-piercing shells for effective work.

Mr. Chairman, I am very glad to know that the able gentleman from Alabama [Mr. HOBSON] takes the advanced stand for the high-explosive or torpedo shell, and I believe that he will find many Members, if not all of us on the floor of this House, splicing hands with him, so as to make the American Navy as strong as the ingenuity of man can contrive. We ought not to be behind any other nation in the world in the effectiveness of our armor or our armament. If we must expend millions for a Navy, let it be said that ours is the most effective.

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

Mr. HOBSON. Mr. Chairman, I move to strike out the last word, for the purpose of referring to the remarks of the gentleman from Massachusetts [Mr. ROBERTS]. The gentleman from Massachusetts will recall the history of this proviso; it appeared only after the art of the manufacture of armor-piercing projectiles was well developed by a few large firms. Its effect has been to practically prevent smaller firms, who at the outset could not produce the high-class shell at the same rate as the larger firms, from ever getting a start in the manufacture of projectiles. The effect of this proviso or limitation has been to get a very high-class shell, but it also has been to limit the number of producers and manufacturers. I am not so very sure but that the whole proviso could be left out, but I am sure of this, that in the development stage of the new type of shell carrying a high explosive, known as the torpedo shell, this limitation should not apply. The gentleman from Massachusetts will notice, on page 18, that this limitation in the second proviso is removed from shells or projectiles of an experimental nature. We may get beyond the stage of experiment, and we may get to the point where there ought to be a purchase for issue to the service of this type of shell. And under those conditions I do not think that this limitation on that particular provision ought to apply to them, so that by the introduction of the simple words "armor-piercing shells" or "armor-piercing projectiles" it would leave that general-proviso limit on these particular shells and remove from its application any new type of shell.

Mr. PADGETT. Mr. Chairman, I do not favor the amendment offered by the gentleman. I think that the second proviso of the bill takes care of any matter that may be needed in the way of experimental purposes. It says:

*Provided*, That this restriction shall not apply to purchases of shells or projectiles of an experimental nature or to be used for experimental purposes—

And so forth.

Now, if the Government is to go into the purchase of shells of any character, either armor-piercing shells or high explosives for general purposes, they ought to be purchased, giving everybody an opportunity to bid and an opportunity for everybody to have a chance to furnish them. If they are for experimental purposes, and that is all there can be in this stage in which they are now, then the second proviso of the bill takes care of such purchases—

Mr. HOBSON. Will the gentleman yield?

Mr. PADGETT (continuing). And it is not necessary to give authority to the department to make fish of one and fowl of another.

Mr. HOBSON. Will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. HOBSON. Why does this proviso appear in the purchase of shells and projectiles and in the purchase of nothing else carried in the bill?

Mr. PADGETT. It is in there for the purpose of requiring that in the purchase of shells and projectiles the terms shall be offered by persons who are capable of contracting with the Government for the other as well.

Mr. HOBSON. That is evident, but that is not my question. My question is, Why has not the committee of the gentleman put it in for other war material besides these projectiles?

Mr. PADGETT. This amendment was originally put in on the floor of the House several years ago.

Mr. HOBSON. And, if I remember correctly, the gentleman opposed it very vigorously.

Mr. PADGETT. I do not remember I did; I do not remember practically one way or the other about it. I do not recall now that I opposed it; but I think it is a good provision that the opportunity of making these purchases should be extended to everybody, and so far as projectiles for experimental purposes or shells for experimental purposes are concerned they are fully cared for and provided for in the second proviso.

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

Mr. PADGETT. Yes, sir.

Mr. HOBSON. The gentleman is assuming that any new type of shell shall only be in the experimental stage. Suppose that is not correct; suppose the assumption is not correct?

Mr. PADGETT. Well, if there are two or three who are capable of furnishing them, they can bid on them; and if there are half a dozen capable of providing them, they can bid on them. If there is only one that is prepared to furnish them, only one can bid—

Mr. HOBSON. But I have not finished my question as yet.

Mr. PADGETT. The gentleman stopped.

Mr. HOBSON. Not yet. Now, does not the gentleman realize that this proviso would prevent many firms capable of manufacturing projectiles from bidding?

Mr. PADGETT. I think not.

Mr. HOBSON. The Navy Department has repeatedly recommended that the whole proviso be stricken out, so that we can begin to develop competition instead of keeping it as it is, which practically cuts out all except particular manufacturers.

Mr. PADGETT. No; I think not.

Mr. HOBSON. That is what it does, whether the gentleman thinks so or not.

Mr. PADGETT. The Navy Department has heretofore recommended—

Mr. HOBSON. And kept on recommending until it got tired of it.

Mr. PADGETT (continuing). That this and other limitations be cut out. They have recommended the cutting out of a number of limitations that we have kept in the bill every year.

Mr. HOBSON. Mr. Chairman, I move to strike out the last word again.

The CHAIRMAN. The amendment is not in order. The gentleman will have to get permission of the House.

Mr. HOBSON. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

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

Mr. HOBSON. Mr. Chairman, I simply desire to point out that if this amendment that I have offered is not voted I am going to move to strike out the whole proviso paragraph, because it is indefensible that in this stage of development there should be this kind of provision. The effect of it has been, as I said, to get us a good shell—to get us a good armor-piercing shell—although in the idea of the gentleman from Massachusetts the velocity of the shell, I believe, is very much higher than, possibly, the real conditions would warrant. We are getting a good shell, but we have to pay a good price, larger I believe, because of this proviso. I fought before and I am ready to fight now to have

this restriction removed in this experimental stage of the development of the torpedo shell and other experimental shells.

Mr. MANN. Mr. Chairman, our distinguished friend from Alabama speaks with such absolute cocksureness on any proposition, that it is sometimes very difficult to understand whether he is really in earnest or not. Now, what have we here? The gentleman said there was a provision in the bill which compelled the Government to pay high prices and that did not give everybody a chance, and here is a provision in the bill that projectiles shall not be purchased except in accordance with the terms and conditions of proposals submitted by the Secretary to all manufacturers. The Secretary can name what he wants. He can provide any shell that he pleases and he names the terms and conditions and submits them to all known manufacturers of these shells. Yet the gentleman from Alabama would have us believe from what he says that the provision in the bill was aimed to make favoritism, and that he was opposed to it, when his provision is to permit the Secretary to buy shells of a particular kind without giving anybody else a chance to bid on them.

Mr. HOBSON. Will the gentleman yield?

Mr. MANN. Wait a minute. The gentleman has spoken three times on this question. He took the time of my colleague from Illinois [Mr. FOWLER] and also the time of the gentleman from Tennessee [Mr. PADGETT], and so I ask him to withhold until I take my own time.

This provision was inserted in the bill some years ago for the express purpose of preventing a chance for favoritism or any suspicion of favoritism. My recollection is it was inserted on the floor of the House. Some gentlemen believed that there was favoritism or might be favoritism where the Navy could purchase shells without submitting the proposals to all the manufacturers, and we put this provision in the bill.

Now, if the Secretary desires to purchase the kind of shells suggested by the gentleman from Alabama he has that license. There is nothing in here to prevent him from doing so, but he can not go and make a secret deal with the manufacturer of some special shell. I do not believe the House wants to give him the opportunity to do so, or that he wants the opportunity to do so. He has not asked for any change from the existing condition in the bill. I take it that this provision was carried in the estimates from the department. He wants to be on the square. But why should we subject him to the secret influences that come when somebody wants to get favoritism out of the Government? Let him, when he wishes a particular thing, prepare his estimates and conditions of proposal and submit them to the manufacturers of shells and projectiles upon the list in the Navy Department, and then everyone will be free from suspicion.

Mr. HOBSON. Mr. Chairman, I ask unanimous consent to proceed for three minutes, because I can see how there may be ambiguity in the reading of this language. But if any gentleman here will call upon the Navy Department, he will find that my statement of the facts is absolutely correct; that if this limiting provision had been left out in the previous bills there would have been probably two and possibly three more manufacturers of armor-piercing projectiles. The department again and again has wanted to give awards to these smaller firms that could make a good projectile, but could not quite compete with the old firms, and has again and again wanted to do it, but this provision has been put in here, so that the young firm would have to come right up on an equality with the full-fledged firm, and it removes all discretion from the Navy Department. The result has been that they have been manufactured by a few large firms.

Mr. GARNER. As I understand the gentleman from Alabama, his idea is not to get the best shell with less money, but he wants to build up expensive firms at the expense of the Government?

Mr. HOBSON. What I want to do is to leave it so that the Secretary of the Navy may have the same discretion in the purchase of shells as he has with anything else in connection with the bill. I do not want any provision in here that will tie the hands of the Secretary of the Navy, as they have been tied in connection with the armor-piercing shells. They have tied his hands for years, and the result has been that only a few large, fully developed firms are now able to manufacture armor-piercing shells for the Government. I do not want that repeated in the future.

Mr. ROBERTS of Massachusetts. Mr. Chairman—

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in five minutes.



Mr. WITHERSPOON. I object, Mr. Chairman. Did you mean this amendment or all other amendments?

Mr. PADGETT. All other amendments is what I said.

Mr. WITHERSPOON. I want to offer an amendment, and I want to address the committee.

The CHAIRMAN. Objection is heard.

Mr. PADGETT. I will move, Mr. Chairman, that debate upon this paragraph and this amendment close in five minutes.

The CHAIRMAN. The gentleman moves that all debate upon this paragraph and amendments thereto close in five minutes.

Mr. WITHERSPOON. Mr. Chairman, I do not understand it that way.

Mr. PADGETT. I said, "this amendment." I will limit it to this amendment.

The CHAIRMAN. The gentleman moves that all debate on the paragraph and the amendment offered by the gentleman from Alabama [Mr. HOBSON] be limited to five minutes.

Mr. PADGETT. On the pending amendment. The gentleman from Mississippi [Mr. WITHERSPOON] said he wanted to offer some other amendment to the paragraph.

The CHAIRMAN. The Chair understood the gentleman's motion to be to close debate on the paragraph and this one amendment, and the Chair was putting it. Now how does the gentleman wish it?

Mr. PADGETT. Mr. Chairman, I move to close debate on this pending amendment in five minutes.

The CHAIRMAN. The gentleman moves that all debate on the pending amendment close in five minutes.

The motion was agreed to.

The CHAIRMAN. The gentleman from Massachusetts [Mr. ROBERTS] is recognized.

Mr. ROBERTS of Massachusetts. Mr. Chairman, my recollection of the proviso under discussion is confirmed by its language, that it was put into this bill for the purpose of broadening competition and reducing prices. This happened some years ago. I am not very clear as to the wording and all the incidents, but my recollection is that it was hinted or openly charged that prior to the adoption of this language the department had been favoring certain manufacturers and that others could get no opportunity to bid; and to put an end to such practices as that this language was inserted, which makes it obligatory upon the Secretary to communicate to all manufacturers of shells the specifications and conditions under which he solicits bids, and that all then have an equal opportunity to make their bids and to get the contract.

Now, the gentleman from Alabama [Mr. HOBSON] is very much exercised in his mind because he thinks the Secretary of the Navy is tied by the law. I want to say to the gentleman that had he been in the committee at a certain meeting this last winter, he would have heard the Secretary of the Navy tell the committee of the wonderful success he had been meeting with in getting shells at less price; so much so that with the amount of money available he was able to buy a great many more shells than he had anticipated, judging by the figures that had been submitted on the prior competition.

Mr. WITHERSPOON. Mr. Chairman—

Mr. ROBERTS of Massachusetts. Now, Mr. Chairman, if the gentleman will pardon me, I have only five minutes—

Mr. WITHERSPOON. I just wanted to ask you a question.

Mr. ROBERTS of Massachusetts. I will yield to my colleague for a question.

Mr. WITHERSPOON. I just wanted to ask you if the facts you have so correctly stated about the ability of the Secretary to buy shells so much cheaper, by which he saved \$109 on each shell, is not a good sign as to why he should not have his hands tied?

Mr. ROBERTS of Massachusetts. I do not just catch the drift of the gentleman's argument; but if he means that under the law as it now exists the Secretary has been enabled to reduce the price \$109 a shell, I certainly, for one, do not think we ought to change that law.

I was about to say, Mr. Chairman, that if the Secretary of the Navy felt that he was being handicapped in the slightest degree by existing law, the gentleman has a tongue and he has stenographers at his command, and I know his interest in the Navy is so great that he would not hesitate a moment in letting Congress and the appropriate committee know that he was being bound down and circumscribed by existing law and for that reason he could not give the best results in his department, and we should have heard from him very promptly along those lines. But we have not heard the first word of complaint coming from the Navy Department. In fact, I was somewhat surprised when the gentleman from Alabama [Mr. HOBSON] took the floor and offered the amendment which he did. It is the first complaint I have heard from any source as to the splendid

operations of the existing law. For that reason, Mr. Chairman, I hope the committee will sustain the Committee on Naval Affairs and reject the amendment of the gentleman from Alabama.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama [Mr. HOBSON].

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. HOBSON. A division, Mr. Chairman.

The CHAIRMAN. A division is asked for.

The committee divided; and there were—ayes 16, noes 38.

So the amendment was rejected.

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

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

The Clerk read as follows:

On page 17, in line 20, beginning with the word "Provided," strike out all words through the page; and on page 18, from the top of the page down to line 7, through the word "ordnance," striking out the first and second provisos.

Mr. HOBSON. Mr. Chairman, that amendment would leave the Secretary of the Navy, with regard to the purchase of projectiles, in practically the same position as he is in as regards the purchase of torpedoes, in regard to the purchase of small-arms ammunition, and with regard to the purchase of every other article in the bill.

Now, I want the gentleman from Massachusetts [Mr. ROBERTS], and the chairman of this committee [Mr. PADGETT] also, to explain to this House why, in the matter of the purchase of projectiles and shells, they feel that the Secretary of the Navy ought to have additional specifications by law. Why can not the whole question of all shells, all projectiles of all kinds, be left simply on the same even footing as all other articles purchased by the Government? The gentlemen can not answer that proposition.

Now, I want to repeat that the effect of this limitation has been to confine the supply of armor-piercing projectiles for our Navy to a few firms, and that again and again the Navy Department has recommended and requested that it be allowed the same latitude here as in the purchase of all other war materials, stating again and again that this provision left it no discretion whatsoever, and put a small firm at the beginning right in full competition with the full-grown firms that could very easily, for their own personal advantage, form a trust and underbid the little fellow and destroy him under the hard conditions that might be imposed.

Now, I say there can be no justification for it, and it is indefensible that in the purchase of projectiles there should be an additional limitation of law upon the Secretary of the Navy that does not exist for the purchase of any other war material by the Navy Department or the War Department or any other department of the Government; and now if the gentlemen want to have all business on exactly the same footing, they will vote for this amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama [Mr. HOBSON].

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

Mr. HOBSON. A division, Mr. Chairman.

The CHAIRMAN. A division is asked for.

The committee divided; and there were—ayes 15, noes 39.

So the amendment was rejected.

Mr. Chairman, I offer an amendment to the pending paragraph in the bill.

The CHAIRMAN. The gentleman from Mississippi [Mr. WITHERSPOON] offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 17, line 20, after the word "all," strike out the figures "\$5,800,000" and insert "\$5,164,000."

The CHAIRMAN. The question is on the adoption of the amendment.

Mr. WITHERSPOON. Mr. Chairman, I want to explain to the committee the purpose and object of this amendment.

This is an amount appropriated for ordnance and ordnance stores. It says nothing about powder, but if you will turn to the hearings where the Bureau of Ordnance gives a table of all the items constituting this entire amount of \$5,800,000 you will see there is included in the amount \$636,000 for the purchase of powder. I deduct that \$636,000 from the \$5,800,000, and therefore substitute \$5,164,000 for the amount carried in the bill.

Now, I want to call your attention to the facts about this powder. This item of \$636,000, at the price fixed by law, 53 cents a pound, will purchase 1,200,000 pounds of powder. Now, you will reach an item in this bill presently entitled "Ammuni-

tion for ships," and included in that, as explained by the Chief of the Bureau of Ordnance, is \$360,000, if I remember the figures correctly, for the purchase of powder. That will purchase 700,000 pounds of powder. Now, you will also soon reach an item—I think it is on the next page—where we appropriate \$1,150,000 under this head, "For the purchase and manufacture of powder." Now, the Chief of the Bureau of Ordnance explained to us that there was included in that \$1,150,000 provision for the purchase of 3,800,000 pounds of powder, and if you will add the three sums together, the 1,200,000 that this item will purchase, and the 700,000 that the second item I referred to will purchase, and the 3,800,000 pounds that are included in the third item, it amounts to nearly 7,000,000 pounds of powder that this bill appropriates money to purchase.

Now, in addition to that, the appropriation for the powder factory provides for the manufacture of two and one-half million pounds of powder. The Chief of the Bureau of Ordnance tells us that the capacity of the powder factory is now two and one-half million pounds per year, and he says we use for target practice and at the proving grounds 1,600,000 pounds a year.

In other words, we are now manufacturing 900,000 pounds of powder a year more than we use. Stated in another way, we are adding to the reserve from our powder factory 900,000 pounds of powder every year; and here are three items in this bill that provide for the purchase of 7,000,000 pounds of powder. What do we need with that powder? I say there is nothing in these hearings that shows the semblance of necessity for that powder. I say it is just a waste of the public funds to appropriate that money for powder. Now, let me present the facts to you about that. Every gun on every battleship we have is provided with 100 rounds.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENSLEY. I ask unanimous consent that the time of the gentleman from Mississippi be extended five minutes.

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

There was no objection.

Mr. WITHERSPOON. The experts have explained to us about these large guns, that they can only be used 175 times. When you fire them 175 times the rifling becomes worn, the shell begins to wobble, and they are worthless and have to be relined before they are any good again. Now, each one of these guns has a supply of 100 rounds on the ship. They fire each one of these big guns every year 12 full charges in target practice. They carry that on for six years, until they have fired them 75 times. Then they reline them. So that every gun in the Navy has a capacity to fire 100 times before it begins to deteriorate in accuracy. Each gun is supplied with that much ammunition on the ship.

We have a very large powder reserve. The amount of it is a secret, and I can not tell it to you. The Navy Department regards it as a secret, but we know what it is. And while I can not tell you what it is I will tell you this, that I have calculated the amount of powder that it will take to wear out every one of the 254 big guns in our Navy, firing each one of them 175 times, which is the maximum. It will take 13,000,000 pounds of powder to do it. Now while I will not tell you how much powder we have in reserve, I will tell you that the amount necessary to wear out every big gun in the Navy is not one-third as much as we have in reserve. That is the condition of the powder supply as shown by the testimony of the experts; and yet they have nearly \$2,000,000 here in this bill for the purpose of purchasing 7,000,000 pounds of powder. We do not need a single pound of it. We have enough powder to wear out every gun in the Navy, and have 60 rounds left when we have worn out every one of them.

Mr. BRYAN. That covers it, does it?

Mr. WITHERSPOON. I am telling the truth. That is all I am telling.

Mr. BRYAN. Was it the truth when you said a while ago that the amount of powder was regarded as a naval secret?

Mr. WITHERSPOON. Yes. It is not only the truth, but the Chief of the Bureau of Ordnance, who gave us the facts about this, when he revised his remarks, as you sometimes do yourself, struck out nearly all of that. The fact is we do not need a pound of this powder.

There is just one other thing I want to tell you. We are purchasing this vast amount of 7,000,000 pounds of powder every year. The appropriation last year was just the same. We are purchasing it, not because we think we need it, not because of any earthly use for it, but we are purchasing it because the Powder Trust tells us we must do it. That is the testimony. That comes about in this way: You have passed a law providing that the Navy Department can not purchase any powder and pay more than 53 cents a pound for it, and you have that law

repeated in this appropriation bill. They are powerless to purchase powder unless they can get it for 53 cents a pound.

Now, the Chief of the Bureau of Ordnance tells us that he can not buy that powder except from one concern, the Powder Trust; and the Powder Trust says, "We will let you have the powder at 53 cents a pound provided you will take 4,500,000 pounds; you can not get it on the terms that Congress says you must get it unless you are willing to take as much as four and one-half million pounds." And in order to comply with the conditions and terms of the Powder Trust the Navy Department has gotten the Army to take a part of the powder that it would purchase from the Powder Trust, and in one instance has induced some foreign Government to come in and take a part of it in order that it might be able to comply with the conditions imposed by the Powder Trust to purchase four and one-half million pounds.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WITHERSPOON. I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. WITHERSPOON. I just want to put it up to you. If you will examine the hearings, you will see that I am right. The facts show that we do not need a pound of this powder; but if we did need it, I have not so much lost my independence as an American citizen as to be willing to buy it if the Powder Trust has got to decide how much I shall buy. [Applause.]

Mr. PADGETT. Mr. Chairman, I shall take only a few minutes. This bill carries the same appropriations for the purchase and the manufacture of powder and projectiles that were carried in the bill last year and the year before, and less than the amount carried for some years before that.

I might observe what has already occurred to every Member here present, that under the existing circumstances it does not seem to be a very propitious time just now to reduce our purchases of powder, especially to reduce those purchases below the amount we have been purchasing under normal conditions.

Some years ago Congress adopted the policy of establishing a reserve on shore, in addition to the amount of projectiles and powder aboard ship. No nation would consider it wise to have only the ammunition that it had on the ships and none ashore for a reserve. I want to say that at this time we are considerably short of that reserve. The gentleman made some statements about the matter. I shall not give the exact amount—

Mr. MADDEN. The gentleman from Mississippi stated that there are 39,000,000 pounds of powder on hand. That is what he stated.

Mr. WITHERSPOON. No; I did not state that.

Mr. MADDEN. He said that it took 13,000,000 pounds to do a certain thing, and that we had three times that amount.

Mr. WITHERSPOON. I said we had more than three times that amount.

Mr. MADDEN. A calculation based on the gentleman's statements would show that we have 39,000,000 pounds on hand.

Mr. PADGETT. The gentleman's statement was that we had more than 39,000,000 pounds on hand.

Mr. MADDEN. Then 40,000,000 pounds.

Mr. WITHERSPOON. It may be 100,000,000 pounds.

Mr. PADGETT. The gentleman used an illustration to convey his meaning as nearly as he could without using the precise language. I will simply state that to supply all the new ships in course of construction, and counting in 2,700,000 pounds of old powder that has to be reworked in order to be made available for the present-day guns, we are more than 12,000,000 pounds short of our reserve.

I want to state another thing that I have here. I asked Admiral Strauss, Chief of the Bureau of Ordnance, how long the present supply of powder would last if we were in a continuous battle, and he says that the question is difficult to answer; that it would depend upon whether the engagement was continuous at the highest rate of speed that they could fire; that it would probably last throughout a battle of two hours, and that this would provide for reducing the supply less than the maximum of target practice.

Now, there is the reserve powder in addition to that that is afloat.

Mr. STAFFORD. Will the gentleman inform the committee how many competing firms can furnish powder at a rate of 53 cents a pound?

Mr. PADGETT. Practically only one, the Du Pont Powder Co. That is the only one that manufactures smokeless powder for big guns except the Navy manufacture and the Army. That is the only private firm. They have three plants that they maintain in operation available and ready for the manufacture



of powder. I will state that it has been the policy of the Navy Department for a number of years to use its influence with these manufacturers to maintain three factories instead of making it all in one.

Mr. STAFFORD. Is it a fact that the supply concern exacts as a condition that the Government shall take a certain quantity as represented by the gentleman from Mississippi?

Mr. PADGETT. It is like this: They submit the bids in the alternative. If you take so much, we will furnish it at 60 cents. I am not giving the exact figures. If you take so much, it will be 58 cents, and so much at 53 cents.

Mr. STAFFORD. The minimum price is 53 cents?

Mr. PADGETT. The minimum price was 53 cents, and in order to get the benefit of the minimum price the Navy Department and the War Department joined together. At one time they submitted a proposal for 5,000,000 pounds, and the War Department took so much to make up the 5,000,000 pounds, and the Navy Department took so much, and then I believe it was Argentina that agreed to take 500,000 pounds in order to make out the difference.

Mr. GARNER. As a matter of fact, then, they do make a condition that you must take so much powder in order to come within the statute price of 53 cents?

Mr. PADGETT. Yes; that is what they have done so far.

Mr. BUCHANAN of Illinois. Mr. Chairman, on this question of powder it seems that no matter how much powder the Government manufactures at Indian Head we have to appropriate sufficient money to give the Powder Trust its usual profit. I offered an amendment in the last Congress, and in fact I have offered it in every appropriation bill until it finally became a law, providing that the Indian Head powder factory should be run at its full capacity before any powder was purchased. That is being done, and it seems that they are manufacturing a sufficient amount of powder for the Navy. Not only that, but there is information which shows that the powder mills of the Army are manufacturing more powder than we need. If the Government powder mills were properly utilized, there would be no need of purchasing powder from any manufacturers any more than for the purpose of continuing to give them extortionate prices that they may secure profit on watered stock and overcapitalization.

The chairman of the committee has made a statement that may mislead some Members as to how much powder we would use in two hours if the Navy was all in action. He knows that it is impossible for us to be engaged in a battle where all the Navy would be firing at full capacity for two hours at any time. It is impossible to become engaged in battle in any such way.

Mr. WITHERSPOON. Will the gentleman yield?

Mr. BUCHANAN of Illinois. Yes.

Mr. WITHERSPOON. Let me call attention to the fact that these big guns can be fired twice a minute, and they could not be fired for two hours, because they would fire 120 times the first hour, and long before the second hour was out they would be worn out.

Mr. BUCHANAN of Illinois. There has never been a war and never will be one where all the ships are engaged to their full capacity at the same time, or any majority of our battleships or any 10 of them will be engaged at one time.

Mr. BRYAN. It would destroy the Mexican fleet if they did.

Mr. BUCHANAN of Illinois. Yes; and it is given as a reason for a big navy that we will never get into war if we have a navy of a sufficient size, and yet the Mexican fleet, I suppose, is so large that they do not care to declare war. That certainly destroys the argument that a large fleet is going to secure peace.

Mr. BARTON. Will the gentleman yield?

Mr. BUCHANAN of Illinois. Yes.

Mr. BARTON. Does the gentleman mean to say that the powder factory at Indianhead and the other powder factory are not run at their full capacity?

Mr. BUCHANAN of Illinois. They are; and they manufacture 2,500,000 pounds of powder annually, making 900,000 pounds annually more than we are using as a surplus. We already have a large surplus. In my opinion, the amendment offered by the gentleman from Mississippi should be carried, as we are manufacturing all the powder that we have any use for.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. WITHERSPOON) there were 27 ayes and 43 noes.

Mr. WITHERSPOON. I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. WITHERSPOON and Mr. PADGETT.

The committee again divided; and the tellers reported that there were 30 ayes and 52 noes.

So the amendment was rejected.

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

The Clerk read as follows:

Amend by inserting as a separate paragraph, following the words "free of duty," line 11, page 18, the following:

"For beginning the erection of suitable buildings and the purchase of suitable machinery and materials necessary for the enlargement of the plant of the Bureau of Ordnance to permit the manufacture of armor plate and gun forgings for the use of the Navy of the United States, \$1,000,000: *Provided*, That the Secretary of the Navy is hereby authorized to appoint a board, to consist of three officers of the Navy, who shall examine and report what, in their opinion, is the most suitable site for the erection of such extension of the plant of the Bureau of Ordnance as is herein provided for, and also as to what the capacity of such extension of plant should be; and no money shall be expended until the site so selected and the capacity so determined upon shall have been approved by the Secretary of the Navy: *Provided further*, That the board so appointed shall report to the Secretary of the Navy within three months after the passage of this act and that work on the extension of the plant of the Bureau of Ordnance herein provided for shall begin within six months after this act goes into effect, and be continued with all due expedition until completed: *And provided further*, That the board herein provided for to ascertain the most favorable site for said extension of plant shall give due consideration to the advantages possessed by any possible site now owned by the Government; but in the event that any such Government-owned site is not approved, the Secretary of the Navy is authorized to expend such portion of the appropriation herein provided for as may be necessary to acquire the site determined upon by the board and approved by the Secretary of the Navy."

Mr. BROWNING. Mr. Chairman, I make the point of order against the amendment.

Mr. PADGETT. Mr. Chairman, I will state to the gentleman that I wish he would let this go over now. We have a provision in the latter part of the bill with reference to this.

Mr. TAVENNER. But the provision in the bill provides only for an investigation of armor plate, and we reached that stage 18 years ago. This provides for the building of the plant.

Mr. BROWNING. Mr. Chairman, I make the point of order against the amendment.

Mr. PADGETT. Will the gentleman reserve it?

Mr. BROWNING. I reserve the point of order.

Mr. TAVENNER. Mr. Chairman, amendments have been offered to naval appropriation bills providing for armor-plate factories in the past, and they have been ruled out upon points of order. I have looked up most of these amendments, or all that I could find, and I found they specified simply the building of an armor-plate factory, referring to it in the amendments as an independent proposition. My amendment proposes to enlarge and extend the present plant of the Bureau of Ordnance. The Bureau of Ordnance in the Navy Department already has an extensive plant. It does a large amount of manufacturing. It manufactures guns and a great many other things. All I ask is to extend the present plant. For 20 years there has been a movement on foot to obtain a Government armor-plate factory. Time after time amendments have been offered, and time after time points of order have been made, and the amendments have been stricken out, and therefore, year after year, the armor-plate ring—and I use that term advisedly—has been permitted to go on drawing down hundreds and hundreds of thousands of dollars in extortionate profits. There are only three firms engaged in the manufacture of armor plate—the Bethlehem Steel Co., the Midvale Steel Co., and the Carnegie Steel Co. Those three concerns have drawn down more than \$100,000,000 worth of fat Government contracts from the Army and Navy.

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

Mr. TAVENNER. Yes.

Mr. HENSLEY. Is it the gentleman's purpose in this effort to take the profit out of war?

Mr. TAVENNER. That is exactly what I wish to do. I am not so much concerned whether we have one battleship or two battleships or three battleships, so long as the Government does the manufacturing of the battleships, because then when we appropriate a dollar for a battleship we will get a dollar's worth of battleship, and now no one knows how much we get. We do know that Mr. Carnegie, who was one of the first to go into the armor-plate business, boasts of having made millions out of 25 men, and he is now going through life giving his millions away right and left, and death is going to overtake him with untold millions still on his hands. So there must be huge profits in the armor-plate business, and the Government ought to save some of these millions of profits to the taxpayers.

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

Mr. TAVENNER. Yes.

Mr. BARTON. Is it not also true that we have found that we pay enormous prices for armor plate that a committee of Con-



gress, and that the courts themselves, have found was faulty, worth about \$30 a ton, and that we have paid \$300 a ton for it?

Mr. TAVENNER. Yes; and I have affidavits, or the gentleman from Illinois [Mr. RAINEX] has affidavits, of the employees of the Bethlehem Steel Co., which are sworn to, who stated under oath that they were instructed to patch up defective armor plates in order to fool the Government inspectors.

Mr. Chairman, the chairman of the Naval Affairs Committee has paid a high tribute to the Secretary of the Navy, and I wish to join him in that tribute, because I think the present Secretary of the Navy is one of the greatest Secretaries we have ever had. But I wish to point out that while the chairman of the Naval Affairs Committee has paid Secretary Daniels a high tribute, he has not followed the recommendations of the Secretary. The Secretary of the Navy asked Congress to give him an appropriation for an armor-plate factory.

The committee has brought in a provision in the bill authorizing an investigation for a site for an armor-plate factory. Eighteen years ago we had a proposition of that kind enacted into law. We have passed that stage now, and I desire to read what the Secretary of the Navy asked for in his annual report and to show that the Naval Affairs Committee has dodged the proposition, and that instead of giving us an armor-plate factory they have simply provided for an investigation. The Navy Department already has all of the evidence that any fair-minded person would require to come to the conclusion that we have been outrageously overcharged by this armor-plate ring. The Secretary of the Navy, on page 8 of his annual report, says:

IMPORTANCE OF ARMOR-PLATE FACTORY.

I desire to recommend the passage at the earliest moment of a sufficient appropriation to begin the construction of a Government armor plant to relieve a situation which, in my estimation, is intolerable and at total variance with the principle of economy in spending Government money. It is evident that without an armor plant of its own the Government in time of war or impending war would be entirely at the mercy of these three manufacturers and obliged to pay practically whatever price they asked. History does not warrant an assumption that the patriotism of these companies would prove superior to their desire for profits, inasmuch as during the time that war with Spain was imminent these companies refused to accept the price fixed by Congress after investigation as a just rate and declined to manufacture any armor until they got their own price of \$100 a ton more than that which Congress had determined on. In this connection it is well to note that the love of country possessed by these companies did not prevent them from furnishing armor to Russia, as reported to Congress, in 1894 at \$249 a ton, while they were charging the United States \$616.14 a ton.

I do not see how it is possible for Congress to justify to the people a refusal to erect a Government plant, nor how it can answer the charge that will invariably be brought up—that the same mysterious Providence which saved this profitable business to the steel companies three times in the past, even after money for a Government plant had actually been appropriated, is not still at work exercising its beneficent protection over these lusty specimens of infant industries, who are even now under Government investigation as violators of the antitrust law.

Mr. Chairman, those are the words of the present Secretary of the Navy, and I think that Congress ought to respect his recommendation and permit this amendment to be voted upon on its merits. [Applause.]

Mr. PADGETT. Mr. Chairman, the question of armor plate is a very important one, and if an investigation should show that it would be proper for the Government to enter upon the manufacture of armor plate no one would be more glad or willing to see it done than I. The committee has incorporated in the bill a provision for a very thorough and complete investigation, has authorized and directed—not merely authorized—this investigation as to location of site, cost of site, and cost of plant, and the probable cost of manufacture.

The CHAIRMAN. Will the gentleman permit the Chair at this stage to ask him if the provision in the bill is authorized by existing law?

Mr. PADGETT. It is not.

The CHAIRMAN. It bears on a proposition now offered by the gentleman from Indiana?

Mr. PADGETT. It is not authorized by law. It is subject to the same point of order that this is. When we reach it in the bill I shall ask the House to waive the point of order; but the present amendment is subject to a point of order, as is the provision that is incorporated in the bill.

Now, the language that was read by the gentleman from Illinois from the report of the Secretary of the Navy expresses his views and his ideas, but when the Secretary came to submit estimates to go into the appropriation bill he did not submit one dollar of estimates for the actual beginning of the work. Those matters must be determined upon business principles, and when we took the matter up in the hearings we found the estimated cost of a factory would run from \$7,000,000 to \$15,000,000, dependent upon the size and the character and capacity of the plant.

Mr. BARTON. Will the gentleman yield?

Mr. PADGETT. And I think we should go at the matter in a business way, and the committee has attempted in a business way to proceed to a consideration and a determination of this question, as a business man would with his private affairs.

Mr. BARTON. Will the gentleman yield?

Mr. PADGETT. I do.

Mr. BARTON. I would say in the outset that I have the fullest confidence in the committee in their honest intention in reporting this amendment, and the amendment, in my judgment, is a businesslike way to do this work, and yet it very easily goes out on a point of order, for in a body of this kind some one is always ready to make a point of order. Now I will ask the chairman of the committee, in case it does go out on a point of order, if he would be willing to report a bill that carries this investigation?

Mr. PADGETT. Yes.

Mr. BARTON. I want to say, further, I drafted a bill, and it is now pending before that committee, providing \$8,000,000 to purchase an armor-plate factory.

Mr. PADGETT. That would only establish one of about 5,000 tons capacity.

Mr. BARTON. I want to say I drew this after talking directly with the Secretary of the Navy, the Hon. Josephus Daniels, who told me at that time that if I would make that amount the maximum amount he thought for less money he could buy a plant already in operation that would produce about 8,000 tons, if I remember correctly. What do we use?

Mr. PADGETT. We use 16,000 tons.

Mr. BARTON. A plant of the size mentioned would be large enough to establish competitive conditions and furnish a considerable amount of the armor we use.

Mr. PADGETT. But when we came to the matter with the Chief of the Bureau of Ordnance and he submitted the estimates, the estimated cost ran, as I read yesterday and put in the RECORD, from \$7,000,000 to \$15,000,000, owing to the character and size of the plant.

Mr. STAFFORD. May I ask the gentleman if I understand correctly that the Secretary of the Navy did not press his recommendation for the building of an armor-plate factory when he appeared before the committee?

Mr. PADGETT. No; he submitted his views upon it, but he had submitted no definite estimates coming down from the Treasury as all estimates come, and we are not including any estimate to go in the bill.

Mr. STAFFORD. But his later recommendation before the committee could be construed as an estimate if the committee so desired to construe it.

Mr. PADGETT. There was no estimate submitted. There was simply a hearing, in which he expressed himself in favor of the policy of the Government having an armor-plate plant.

Mr. STAFFORD. Did he recommend before the committee that the time was opportune for the Government to go right ahead with this project, as is stated in the newspapers?

Mr. PADGETT. I do not think so; but he is in favor of it—

Mr. STAFFORD. Of going ahead without any further investigation?

Mr. PADGETT. Well, I do not know about a further investigation.

Mr. STAFFORD. Did not the gentleman's committee come to a consideration of the question of the opportuneness of whether the Government should go right ahead without making some investigation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROWNING. Mr. Chairman, I renew my point of order.

The CHAIRMAN. The Chair will ask the gentleman from Illinois [Mr. TAVENNER]—the gentleman spoke of the amendment not being subject to a point of order on account of its being a continuation of something—the Chair would like to ask the gentleman what is this a continuation of?

Mr. TAVENNER. Of the Bureau of Ordnance, which does manufacturing. There is a Bureau of Ordnance in the Navy Department, which manufactures guns and many other things.

Mr. PADGETT. Mr. Chairman, the Bureau of Ordnance, I will state, if the gentleman will permit me, is simply one of the divisions of the administration of the department located up here in the State, War, and Navy Building.

Mr. TAVENNER. I mean to enlarge the buildings and plants of the Bureau of Ordnance.

Mr. PADGETT. The Bureau of Ordnance has some plants where it does some work. Down at the navy yard it does some work, and at Indianhead, Md.; and it does work in every navy yard we have. Sometimes it is in the same building and sometimes in separate buildings.



The Bureau of Ordnance is simply one of the divisions of the administrative department of the Navy that is located in the State, War, and Navy Building here in the city. But the work that is done under the jurisdiction of that bureau is done in all navy yards; sometimes, as I said, in the same shop, sometimes in a different shop adjoining the other one, and sometimes the Bureau of Construction and Repair and the Bureau of Ordnance will be working in the same shop.

Mr. TAVENNER. What construction does the gentleman put on the words "plant of the Bureau of Ordnance"? Would he consider that term to mean the main office, where they keep books?

Mr. PADGETT. The Bureau of Ordnance has no main plant. There is no plant that belongs to the Bureau of Ordnance as a separate bureau. It belongs to the Government. A navy yard is established, and in that yard the Bureau of Construction will do work and the Bureau of Ordnance will do work, and various other bureaus will do work, and there is no separate plant belonging distinctively to the Bureau of Ordnance.

The CHAIRMAN. The Chair will be glad if the gentleman from Tennessee [Mr. PADGETT] will yield to the Chair for a minute.

Mr. PADGETT. Yes, sir.

The CHAIRMAN. The gentleman from Illinois [Mr. TAVENNER] said that his amendment is in continuation of a work, yet his amendment begins with these words, "for the beginning," and so forth.

Mr. TAVENNER. For the beginning of the work of the extension of the plant; for the beginning of the enlargement.

The CHAIRMAN. As much as the Chair would like to agree with the gentleman, he finds himself unable to do so. He is therefore compelled to sustain the point of order.

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

Mr. GREEN of Iowa. Mr. Chairman, I rise for the purpose of asking the chairman of the committee a question. I notice in the third proviso the Secretary of the Navy is authorized to make emergency purchases of war material abroad. Is there some general provision that he may make emergency purchases at home?

Mr. PADGETT. Oh, yes. This is simply permissive that he may do it abroad. The great bulk of things is here. This is simply to provide in case a ship is abroad and an emergency arises that they can purchase what they need and bring it home without any duty on it.

Mr. GREEN of Iowa. This is a provision which says that they shall submit to competitive bids. Unless there is some provision in the law that he may make emergency purchases at home, that word "abroad" ought to be stricken out there.

Mr. PADGETT. This section of the bill is for the purchase generally of the materials.

Mr. GREEN of Iowa. That is true, but it is not general.

Mr. PADGETT. Now, then, if an emergency arises, he can purchase them abroad.

Mr. GREEN of Iowa. Certainly; but can he purchase them at home if he wishes?

Mr. PADGETT. Yes, sir.

Mr. GREEN of Iowa. Where do you find the provision of law for it?

Mr. PADGETT. The authority allows him to do it.

Mr. GREEN of Iowa. Well, that does not answer the query, it seems to me.

Mr. PADGETT. We have been doing it for years under this language.

Mr. TAVENNER. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. TAVENNER. This matter has been passed upon so far as the point of order is concerned, but I would like to ask the gentleman a question relative to his statement that the Secretary of the Navy did not have any estimated cost of this plant.

Mr. PADGETT. I said he did not submit any estimate in the regular Book of Estimates.

Mr. TAVENNER. He submitted it to the Senate, and I have a copy of it here in which he states how much it will cost to a penny and how much he will save.

Mr. PADGETT. That is a matter of private advice to the chairman of the committee, but the law provides that estimates shall come down to the Secretary of the Treasury and appear in the Book of Estimates.

Mr. TAVENNER. Then, the only thing is that the estimates have not come through the right channel. A resolution was passed by the Senate asking for this information, and it was supplied to the Senate, telling what a plant of 10,000-ton capacity would cost and what a plant of 20,000-ton capacity would cost, and how much we would save on that plant. So I do not see why we need an investigation to get that information.

Mr. PADGETT. You will find some things at length in regard to it in the hearings we have here.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GREEN] has expired.

Mr. PADGETT. Mr. Chairman, I ask the Clerk to read.

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

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

The Clerk read as follows:

Amend, page 17, line 20, after the figures "\$5,800,000"—

Mr. STAFFORD. Mr. Chairman, I make the point of order that we have passed the paragraph.

The CHAIRMAN. The Clerk advises the Chair that we have not passed it. The Chair understood that the last amendment offered by the gentleman from Illinois [Mr. TAVENNER] was an independent paragraph.

Mr. PADGETT. I understood it was an independent paragraph.

Mr. STAFFORD. It being an independent paragraph, it is to be supposed that the last paragraph had been completed.

The CHAIRMAN. The Clerk did not read the next paragraph.

Mr. PADGETT. The gentleman offered the amendment as an independent paragraph, to come in between lines 11 and 12 of page 18 of the bill.

Mr. GARNER. Mr. Chairman, that would not cut off a Member from opportunity of offering an amendment at any line of the paragraph unless the next paragraph had been read and a Member got recognition of the Chair to offer an amendment to it.

The CHAIRMAN. The Chair rules that the amendment is in order. The Clerk will read.

The Clerk read as follows:

Amend, page 17, line 20, after the figures "\$5,800,000," by adding the following: "Provided, That no part of this sum shall be used for the purchase of projectiles unless not less than \$250,000 of this appropriation shall be used for the manufacture of high-explosive torpedo shells for 12 and 14 inch guns."

Mr. PADGETT rose.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the amendment, if the chairman or any other member of the committee does not wish to make it.

Mr. FOWLER. Mr. Chairman, if the point of order is going to be insisted upon in good faith—

Mr. STAFFORD. It is certainly going to be insisted upon in good faith.

Mr. FOWLER. I shall insist that the gentleman point out the basis of his point of order.

Mr. STAFFORD. Mr. Chairman, I claim that it is a limitation on the discretion of the Secretary of the Navy in the purchase of materials as to which he is not at present so limited. It has been held many times that if any amendment in the form of a limitation limits the discretion that the Secretary or any other administrative officer now has, it is in the nature of legislation and not in order upon an appropriation bill.

Mr. FOWLER. Mr. Chairman, the gentleman from Wisconsin has had a good deal of experience, I understand, as a parliamentarian.

Mr. STAFFORD. No; I have not.

Mr. FOWLER. Ordinarily I would attach a great deal of importance to his judgment.

Mr. STAFFORD. I wish to disclaim that position as coming from the gentleman from Illinois.

Mr. FOWLER. Well, Mr. Chairman, I repeat that, I understand that the gentleman from Wisconsin has had a great deal of experience, and that his judgment ordinarily is superb. [Laughter.]

Mr. STAFFORD. I will make a complete disclaimer of that position.

Mr. FOWLER. But, Mr. Chairman, in this instance I am constrained to believe that the gentleman from Wisconsin has not read the decisions upon the question of limitations on appropriations. Whenever a bill carries a provision for an appropriation, it is proper to place a limitation upon the appropriation, and that is what this amendment does. Hinds' Precedents is full of instances where the Chair has held that a limitation upon an appropriation is in order and is not subject to a point of order.

This paragraph, Mr. Chairman, appropriates \$5,800,000 for ordnance. Among other things, projectiles are provided for. This amendment seeks to limit the use of the appropriation, which is proper. During the consideration of the naval bill 'n 1910, Capt. Hobson offered an amendment to that paragraph carrying an appropriation for experiments in the Bureau of Ordnance. The paragraph read as follows—and I read from

the Naval Yearbook of 1913, which carries a complete copy of that bill:

Experiments, Bureau of Ordnance: For experimental work in the development of armor-piercing and other projectiles, fuses, powders, and high explosives in connection with problems of the attack of armor with direct and inclined fire at various ranges, including the purchase of armor, powder, projectiles, and fuses for the above purposes, and of all necessary material and labor in connection therewith, and for other experimental work under the cognizance of the Bureau of Ordnance in connection with the development of ordnance material for the Navy, \$100,000.

To that Capt. HOBSON offered the following amendment:

Provided, That no part of this appropriation shall be expended in experiments unless in the development of armor-piercing projectiles and high explosives an attack on heavy turret armor and heavy belt armor is made by armor-piercing projectiles at a battle range not less than 3,000 yards and by explosive gelatin in quantity not less than 200 pounds exploded against the heavy belt armor and heavy turret armor of an actual vessel.

A point of order was made to this amendment, and the Chair, in passing upon the amendment and the point of order thereto, held that it was a limitation upon the expenditure. That is just what this amendment which I have offered seeks to do.

It seeks to place a limitation upon the expenditure of the money, whereby its use can not be had unless a certain character of explosives are manufactured. It is well known, Mr. Chairman, that our armament is not provided with high explosive torpedo shells, and I offer this limitation so that we can get the benefit of this destructive projectile, which is, I think, the most destructive of all projectiles.

But as to the limitation, I desire to say that there are numerous limitations of this character cited in Hinds' Precedents, limitations which have been offered as amendments to the naval appropriation bill, and wherever the amendment seeks to limit the expenditure it has been held in order. There is quite a difference between the limitation of an expenditure and a limitation on some other matters, such as the office itself.

This does not seek to limit anything except the expenditure, because it provides that no part shall be used for the manufacture of projectiles unless a certain portion is used for the manufacture of high-explosive torpedo shells.

Mr. Chairman, I do not desire to take up the time of the committee, because I think the amendment is not subject to a point of order at all. I have a series of limitations here that I have compiled from Hinds' Precedents, but I do not think it is necessary to read them. The Hobson amendment, which I have cited, is in harmony with all the rulings of the Chair upon this question that I have been able to find, and I have gone through all of Hinds' Precedents.

The CHAIRMAN. Was the point of order made against the Hobson amendment?

Mr. FOWLER. The point of order was made against the amendment offered by Capt. HOBSON, and it was overruled by the Chair.

Mr. HOBSON. The gentleman is correct.

Mr. FOWLER. Capt. HOBSON says so himself, and last night I read the proceedings as reported in the CONGRESSIONAL RECORD, so that I might not be mistaken in it at all.

The CHAIRMAN. Has the gentleman the citation to the page of the CONGRESSIONAL RECORD?

Mr. FOWLER. I do not know that I can lay my hand on it now, but I have it marked in my office and I will telephone over and get it.

The CHAIRMAN. The Chair will be glad if the gentleman will do that.

Mr. FOWLER. I will do it, Mr. Chairman, because I do not want my reputation for veracity to be questioned by anybody. [Applause.]

Mr. ROBERTS of Massachusetts. Mr. Chairman, it seems to me the amendment offered by the gentleman from Illinois is subject to a point of order, in that it is not germane to the paragraph. The appropriation in this paragraph is—

For procuring, producing, preserving, and handling ordnance material—

while the amendment of the gentleman from Illinois is for the manufacture by the Navy Department of certain ordnance material. There is nothing contemplated in the paragraph about the manufacturing by the Navy Department of any of the class of ordnance materials set out in the paragraph; and when you attempt by a limitation to bring in a new process, to wit, the manufacturing of material, it seems to me the amendment is clearly not germane and so is subject to a point of order.

Mr. STAFFORD. Mr. Chairman, if the Chair will indulge me further on the point of order, I wish to direct the attention of the Chair first to the language of the proviso. It is a mandatory direction in the form of a limitation. Permit me to read it:

Provided, That no part of this sum shall be used for the purchase of projectiles unless not less than \$250,000 of this appropriation shall be

used for the manufacture of high-explosive torpedo shells for 12 and 14 inch guns.

Nothing can be clearer from the language of that amendment than that it is a mandatory direction on the part of Congress to the Secretary of the Navy that he shall employ \$250,000 of this fund for the manufacture of 12 and 14 inch explosive projectiles. Now, I direct the attention of the Chair to the manual, paragraph 825, in which we find this language, under the familiar clause 2 of Rule XXI:

The limitation may not be applied directly to the official functions of executive officers—

Citing Fourth Hinds' Precedents, sections 3957-3966—

but it may restrict executive discretion, so far as this may be done, by a simple negative on the use of the appropriation.

Citing Fourth Hinds' Precedents, sections 3968-3972—

Which does not give affirmative directions.

Citing Fourth Hinds' Precedents, sections 3854-3859, 3975.

Now, I have Hinds' Precedents before me, and the paragraphs there cited are strongly confirmatory of the position stated; and there is not only 1 precedent, but there are 25 precedents.

The CHAIRMAN. The Chair doubts if the precedents which the gentleman is citing bear upon the amendment that is before us.

Mr. STAFFORD. If the Chair please, here we have the proviso, which is mandatory in its provisions, directing that no part of the appropriations will be used unless the Secretary of the Navy uses \$250,000 of the appropriation for the manufacture of a certain character of projectiles. What language could be more regarded as legislation than this character of limitation that he shall manufacture a certain character of projectile?

Mr. HOBSON. Does the gentleman's conception of it turn on the word "manufacture"? If the word "manufacture" was changed to "purchase," would it obviate his objection?

Mr. STAFFORD. I think it would be subject to a point of order, whether we used the word "manufacture" or "purchase." You are directing, in the form of a limitation, the discretion of the Secretary of the Navy, which you have not the authority to do, because under the authorities it is legislation.

Mr. HOBSON. As I understand it, the Secretary is not directed to spend any of this money. This much is appropriated, and if expended it must all be spent under the limitations of law.

Mr. STAFFORD. But this proviso says that no part of this shall be spent.

Mr. HOBSON. For a certain purpose.

Mr. STAFFORD. Unless \$250,000 is expended, which is the same as if you said that there shall be expended \$250,000 for the manufacture of 12-inch and 14-inch projectiles.

Mr. HOBSON. If he does expend for other purposes.

Mr. STAFFORD. The precedents are many, holding that that character of amendment or limitation is in effect legislation.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from Tennessee a question—whether the Secretary of the Navy has authority to manufacture these high-explosive shells under this provision in the bill?

Mr. PADGETT. There is no provision that I know of for the Secretary manufacturing high-explosive shells. They are experimenting with some under a contract with Mr. Isham, and I think Mr. Isham is having it done by some private concern. There is no Government plant set apart and devoted to the manufacture of such shells.

Mr. MANN. Mr. Chairman, the Chair will notice that this amendment provides that no portion of this sum shall be used for the purpose of the purchase of projectiles unless a certain thing happens. Now, it is quite within the power of Congress to put any limitation it pleases on the expenditure of money, but that limitation must be negative and not affirmative limitation. This provision is that no portion of this money shall be used for the purchase of projectiles unless the Secretary uses a portion of the fund for the manufacture of explosives. That is a direction to the Secretary giving him authority to use a portion of this \$5,800,000 for the manufacture of explosives, which he can not do under the terms of the bill.

Mr. HOBSON. Will the gentleman yield?

Mr. MANN. Yes.

Mr. HOBSON. Is the gentleman sure that the Secretary of the Navy can not do it now? On the contrary, I think he can.

Mr. MANN. I did not say that. If the gentleman will mark what I did say, under this item in the bill appropriating \$5,800,000, there is no authority to manufacture these shells.

Mr. HOBSON. And I take exception to that.

Mr. MANN. Point it out.

Mr. HOBSON. These shells are ordnance material.



Mr. MANN. I have read the paragraph, and I have asked the chairman of the committee, and he can find no such provision.

Mr. HOBSON. It says "to procure, produce, preserve, and handle ordnance material." This is ordnance material. That carries authority to produce this material, because torpedo shells are ordnance material. He has the authority already.

Mr. MANN. I think the term "manufacture" is quite well understood. If they intended to have these projectiles manufactured, they would have said "manufactured."

Mr. HOBSON. When it is manufactured, is it not produced?

Mr. MANN. Yes; it is produced if you purchase, and if you steal it, it is produced. Now, this provision which purports to be a negative provision is in fact, as it seems to me, a positive provision, and therefore it is subject to a point of order.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. MANN. Yes.

Mr. GARRETT of Texas. If my memory serves me right, the appropriation bill for the Army carried a provision that in the purchase of small arms and ammunition they placed a limit on it that they should be manufactured in the arsenals of the Government. Would not that be similar to this amendment?

Mr. MANN. Oh, we could very easily provide that no portion of the money should be expended for the purchase of material. We could very easily provide that no portion of it should be expended for the purchase of material, as it is done in this bill, unless the powder factory, for instance, shall be run full time. That is quite a different proposition, as it seems to me.

The CHAIRMAN. If the Chair understands the gentleman from Illinois correctly, he is basing his argument on the point of order on the claim that the section does not authorize the manufacture.

Mr. MANN. That is the argument that I was basing my proposition upon.

The CHAIRMAN. And the gentleman contends that the word "producing" in this section does not mean manufacture? The language of the section is for "procuring," which might mean purchasing, "producing, preserving, and handling ordnance material." The Chair is rather inclined to think that the word "producing" does mean manufacturing, and for that reason the Chair would be very glad to hear the gentleman further upon the point as to what he thinks about the matter, whether the word "producing," as used there, does mean manufacturing.

Mr. MANN. Really, Mr. Chairman, I have no precedents on the subject, and I would just as lief take the Chair's judgment as my own upon that point. I asked the chairman of the Committee on Naval Affairs whether there was any other authorization. I did not read it as being manufacturing. I do not know even what the custom is in the department.

Mr. HOBSON. Mr. Chairman, would the Chair permit an interruption?

The CHAIRMAN. Certainly.

Mr. HOBSON. The next clause, for the armament of ships, would authorize it. These shells are armament of ships.

Mr. WILLIAMS. Mr. Chairman, I would suggest that the producing of material is an entirely different proposition from the manufacturing of the shell. The shell is the manufactured product, and the material may be the component parts of that manufactured product, and authority to produce material is not authority to manufacture the product—the shell itself. I make a distinction between the material and the manufactured product.

The CHAIRMAN. The Chair was dwelling on the word "producing."

Mr. WILLIAMS. The Chair does not understand my distinction, evidently. What I mean to say is this: There is a difference between the material and the finished product. This bill authorizes the procuring and the producing of the material. The material may be that which goes to constitute the shell when manufactured, and I do not believe that the language employed would authorize the manufacturing of shells, but merely the production of material with which the shell is manufactured.

Mr. HOBSON. Mr. Chairman, in the gentleman's use of the word "material," of course he must take it in connection with the phrase "ordnance material." Ordnance material is not raw material, but is a finished product in this instance, and if the Chair will permit me just a moment, practically everything aboard a ship in the matter of ordnance is authorized for production in that first paragraph. You could rule out of order the whole body of ordnance material, if the gentleman's contention were correct, but if there were any question in the world about the word "producing," which, in my judgment, there can not be, then the next phrase would certainly authorize these torpedo shells, because they are for the armament of ships.

The CHAIRMAN. Does the gentleman from Alabama, while insisting that the ordnance material is a finished product, see any distinction between the words in the bill "procuring, producing, and preserving and handling ordnance material," if it is not the finished product, and material out of which the product may be made? Has the Secretary of the Navy the right to make the finished product out of the ordnance material?

Mr. HOBSON. Mr. Chairman, I see the point of the Chair; but I desire to call the Chair's attention to this fact, that we have not authorized here, and we never have authorized, anything for the procuring of any raw material. I would like to say to the Chair that he has never seen the words "ordnance material" used in the sense of raw material. Ordnance material covers all the material of ordnance, always has, and does here. It would be utterly childish to think that we would authorize the procuring of certain raw material alone. Why, you could not manufacture a thing provided in the whole paragraph if you simply authorize for the raw material, and those words "ordnance material" mean now, and always have meant, and were intended to mean the finished product.

The CHAIRMAN. The Chair would like to ask the gentleman from Illinois, Mr. MANN, getting back to the original proposition, if the Secretary of the Navy is authorized to manufacture, whether the limitation fixed by the amendment offered by the gentleman from Illinois, Mr. FOWLER, is negative or affirmative in its nature?

Mr. MANN. Mr. Chairman, answering the Chair frankly, as I always endeavor to do, when I examined this amendment I thought it was in order at first, until the question of manufacture came up, and I had concluded, without very careful examination, that this did not authorize the paragraph to manufacture material, and hence that that would be an affirmative provision.

If the Chair holds that the paragraph authorizes the manufacture of these high explosives, why I think it is only a negative limitation and would be in order under those circumstances.

Mr. WILLIAMS. Mr. Chairman, I did not yield the floor when the gentleman from Alabama rose, only for one or two questions. I want to know from the gentleman from Alabama, in my time, what is included under the general head of ordnance material.

Mr. HOBSON. I would be glad to say to the gentleman that the word "procure" there is used instead of the word "manufacturing" in order that it may include purchase as well.

Mr. WILLIAMS. Well, but my question now is, What is the general class of material here that is designated as ordnance material?

Mr. HOBSON. It is all the material used in ordnance in the Navy. For instance, ammunition for small arms, for magazine equipment, turret materials, the sights and ammunition appliances, and then the shells themselves and the powder. Powder is not a raw product.

Mr. WILLIAMS. I yield the floor.

Mr. GARNER. I would like to ask the gentleman from Alabama to tell the committee the meaning of the word "armament" of a ship.

Mr. HOBSON. It means everything that pertains to the offensive power short of the ram. It means torpedoes; it means guns and everything that relates to them. It is a comprehensive word for the offensive power short of the ram.

Mr. SAUNDERS. Mr. Chairman, it seems to me that the meaning of the word, "production" in this connection may be ascertained by having reference to the fact that the word "procure" precedes it in the same sentence. In endeavoring to get away from the meaning attributed to the word, "production," by the gentleman from Alabama, the gentlemen who are opposing that view, are giving to the word "production," a meaning that properly belongs to the word, "procuring." The use of the latter word in this connection very clearly shows that the word, "production," must carry some other meaning than the one imputed of assembling, or bringing material together. If this meaning is to be attached to the word "production," in this connection, there was no occasion at all to use it, since this meaning is sufficiently conveyed by the word, "procuring." Hence it seems to me, having in mind the words used that the proper meaning to be applied and attached to the word "production" in this connection, is not an assembling, or gathering together of material, but a process of working out a finished product, in other words, a process of manufacturing. Unless this meaning is imputed to the word "production," it is merely the equivalent, and substantial repetition of, the word "procuring."

The CHAIRMAN. The Chair prefers that a ruling on the point of order go over until to-morrow and that the reading of

the bill be proceeded with and that we return to the amendment to-morrow.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that the point of order be passed over and we may proceed with the reading of the bill.

The CHAIRMAN. Is there objection?

Mr. FOWLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FOWLER. If this goes over, will opportunity be given for the purpose of offering an amendment to perfect the amendment if the point of order should be sustained?

The CHAIRMAN. If the point of order is sustained to the amendment, the amendment will go out. The gentleman, the Chair thinks, would then have the right to offer any further amendment.

Mr. FOWLER. All right, Mr. Chairman, with that understanding I have no objection.

The Clerk read as follows:

Purchase and manufacture of smokeless powder, \$1,150,000: *Provided*, That no part of any money appropriated by this act shall be expended for the purchase of powder other than small-arms powder at a price in excess of 53 cents a pound: *Provided further*, That in expenditures of this appropriation, or any part thereof, for powder, no powder shall at any time be purchased unless the powder factory at Indianhead, Md., shall be operated on a basis of not less than its full maximum capacity.

Mr. WITHERSPOON. Mr. Chairman, I desire to offer an amendment to the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19—

The CHAIRMAN. The gentleman offers an amendment to a page which has not yet been read.

Mr. WITHERSPOON. No, sir; it is the paragraph on page 18, line 12.

The CHAIRMAN. The amendment says, page 19, line 10.

Mr. MURRAY of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman may modify his amendment to read at the page and place he desires it to read.

Mr. WITHERSPOON. It is page 18, line 12.

The CHAIRMAN. The Chair will say to the gentleman again that if he writes his amendment to apply to page 18, line 12, that has not been reached yet.

Mr. MANN. Can we have the amendment again reported, so that the committee will know what it is?

The CHAIRMAN. The Clerk will report the amendment.

Mr. PADGETT. They have just read from line 12 to line 20.

Mr. WITHERSPOON. The paragraph has just been read, and I move to strike out the first two words in it, namely, "purchase and."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, line 12, strike out the words "purchase and."

The CHAIRMAN. The Chair finds that the amendment is now in the correct place, and the Clerk has made the correction in the amendment offered by the gentleman.

Mr. WITHERSPOON. Mr. Chairman, the amendment is made under the facts that I have already had occasion to explain to the House. This appropriation of \$1,150,000 is for the purchase and manufacture of powder. We have a powder factory that can manufacture 2,500,000 pounds of powder per annum. We use only 1,600,000 pounds. We can manufacture 900,000 pounds more than we use. We already have a greater reserve than the capacity of our guns could possibly use in any kind of war, and that portion of this \$1,150,000, under the paragraph as it is written, would be used for the purchase of powder and, in my judgment, is a waste of public funds. I therefore move to strike out the two words and confine the use of this money to the manufacture of powder.

The CHAIRMAN. The question is on the adoption of the amendment.

Mr. PADGETT. Mr. Chairman—

The CHAIRMAN. The gentleman from Tennessee.

Mr. PADGETT. Mr. Chairman, this amount is the same amount and under the same provision that has been carried in the bill for years. The larger part of it is for the manufacture of powder at Indianhead, but there is a small part of it that is for purchase. As I stated before, I do not think this is any time to be cutting down the purchase of our powder.

Mr. GARNER. Will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. GARNER. Was there not a provision carried in the Army bill cutting out the right to purchase powder?

Mr. PADGETT. No, sir. It was limited, just as we have it here, to 53 cents a pound.

Mr. GARNER. Did we not strike out of the Army bill the right to purchase powder and only make the appropriation available for manufacture?

Mr. PADGETT. I do not recall that we did.

Mr. FOWLER. Did they not do it in the Senate?

Mr. GARNER. I do not know. I saw the statement—

Mr. PADGETT. I do not think they did anything of that kind. I think the House will realize this is not the time to be cutting down our powder. I ask for a vote.

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

Mr. PADGETT. Yes, sir.

Mr. MANN. Suppose the appropriation was only for the manufacture of powder, and that we should have a war this summer, and after Congress adjourned the powder mill would blow up or burn up—I believe they frequently blow up—

Mr. PADGETT. Yes, sir.

Mr. MANN. Could anything be done with the money?

Mr. PADGETT. No, sir. They could not get it.

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

The question was taken, and the amendment was rejected.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GARNER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 657) to authorize the reservation of public lands for country parks and community centers within reclamation projects in the State of Montana, and for other purposes, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PITTMAN, Mr. SMITH of Arizona, and Mr. SMOOT as the conferees on the part of the Senate.

#### NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For modifying or renewing breech mechanisms of 3-inch, 4-inch, 5-inch, and 6-inch guns, to be available until expended, \$75,000.

Mr. GARNER. Mr. Chairman, I reserve a point of order against that paragraph. The only objection that I have to it is that portion of it "to be available until expended." Discussing it with the gentleman from Tennessee [Mr. PADGETT], the chairman of the committee, I suggested it be changed to make it available until June 30, 1916.

Mr. PADGETT. I have no objection to that. That would meet the situation.

Mr. GARNER. I move to strike out the word "expended," in line 26, and insert in lieu thereof "June 30, 1916."

Mr. MANN. Not yet. The gentleman has a point of order reserved.

Mr. GARNER. If the gentleman from Illinois [Mr. MANN] and the other gentlemen desire to make a point of order—

Mr. MANN. The gentleman has still a point of order pending.

Mr. GARNER. Mr. Chairman, I withdraw the point of order.

Mr. MANN. Then I reserve the point of order. I have no objection to the proposition with the gentleman's amendment or without it, I think, but there are a number of these items in here of this sort.

Mr. PADGETT. Yes, sir.

Mr. MANN. And we might as well ask about them all. Why should the item for torpedoes be made available until expended?

Mr. PADGETT. Because it takes a longer time to manufacture them than the fiscal year.

Mr. MANN. And is the same true of liners for eroded guns, whatever that may be?

Mr. PADGETT. Yes, sir. For instance, they may not get an eroded gun brought in. They may get a provision for lining an eroded gun. At the time the ship may be away, but by the time she got in the appropriation would have expired.

Mr. MANN. There is this item that is under consideration and three other items—that makes four items in this bill—where this language is new and not in the current law. What are they doing with the present money that is appropriated?

Mr. PADGETT. They are having a great deal of difficulty in the matter.

Mr. MANN. Do they turn it back into the Treasury?

Mr. PADGETT. Yes. As I remember, Admiral Strauss stated that he had to go before the Committee on Appropriations to get deficiency appropriations.

Mr. ROBERTS of Massachusetts. Mr. Chairman, if the gentleman will yield for just a moment, I wish to say that the chief of the Bureau of Ordnance stated to the committee that under the first appropriation for the purpose of modifying or



renewing breech mechanism of guns, amounting to \$200,000, they were obliged to turn back into the Treasury unexpended \$175,000, because they could not get the guns off the ships and to the factory during the time wherein the money was available.

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

Mr. ROBERTS of Massachusetts. Yes.

Mr. MANN. This money is appropriated every year, is it not—a regular appropriation?

Mr. ROBERTS of Massachusetts. On some types of guns; yes.

Mr. MANN. On all items of this bill of this sort not only the items are the same but the amounts are the same, with the exception of torpedoes, and that is increased. Now, why do they have to get the guns off the ship and repair them during the fiscal year?

Mr. PADGETT. Because this money is available only during the fiscal year named.

Mr. MANN. They can take the guns off with the money that is now available. They do not draw such a sharp line as that. After the 1st of July this money will be available, and they can repair the guns, and next year there will be another appropriation.

Mr. PADGETT. Let me call the attention of the gentleman to this fact: It is contemplated, for instance, that during the current fiscal year for which they received an appropriation in the last bill that they would line or repair or change certain guns, but they do not get those guns off in time to do the work during the fiscal year.

Mr. MANN. Then they will have them in in time to do the work during the next fiscal year, will they not?

Mr. PADGETT. Yes.

Mr. MANN. After you get started it works out itself, does it not?

Mr. PADGETT. No. If they do not spend the money, they have to turn it back into the Treasury.

Mr. MANN. You say they can not get the guns off the ship. They say before the end of the year the appropriation is exhausted. But another appropriation becomes available instantly. They can go right ahead with the repair of those guns.

Mr. PADGETT. They can do so out of the appropriation made for the succeeding year, but at the end of the year named they return to the Treasury that money that they did not use.

Mr. MANN. Well, after they get started they will not have to turn any money back into the Treasury.

Mr. PADGETT. Oh, yes; they will.

Mr. MANN. Then that is certainly not like anything else under the Government.

Mr. PADGETT. It may happen each year with regard to some of those ships.

Mr. ROBERTS of Massachusetts. If the gentleman from Illinois [Mr. MANN] will permit me, I will say that this item of \$75,000 is to complete the work on these guns mentioned in the bill, and there would be no occasion for repairing them in the succeeding year.

Mr. MANN. Is there to be a similar item like this next year?

Mr. ROBERTS of Massachusetts. Not for these particular makes of guns—4, 5, and 6 inch guns.

Mr. MANN. Then, Mr. Chairman, I withdraw the point of order.

Mr. STAFFORD. I renew the point of order, Mr. Chairman, for the time being.

Mr. GARNER. Mr. Chairman, I want to suggest to the chairman of the committee and to the membership of the committee that the gentleman from Tennessee [Mr. GARRETT] has just called my attention to a provision of the Constitution which specifically prohibits an appropriation for the Army for a longer period than two years.

Mr. PADGETT. That may apply to the Army, but it does not apply to the Navy.

Mr. GARNER. Oh, it certainly applies to the Navy.

Mr. PADGETT. It applies to the Army but not to the Navy.

Mr. GARNER. It ought to apply to the Navy.

Mr. MANN. It does. But this is not for an expenditure of the Army.

Mr. STAFFORD. Mr. Chairman, will the gentleman from Tennessee permit a question? I would like to inquire if all this work is being performed by the Government in our own yards, or whether any of it is let out by contract?

Mr. PADGETT. I understand it is done in our own yards.

Mr. STAFFORD. If it were let out by contract the money would be available for two years.

Mr. PADGETT. They could obligate the money and hold it, if it was done by contract, but it is in the Government yard here at Washington, in the gun factory. I am perfectly willing

to put the limitation in these matters until June 30, 1916. That is all we want to accomplish, so as not to have to turn this money back.

Mr. STAFFORD. That is satisfactory. I will withdraw the point of order.

The CHAIRMAN. Is there objection to the withdrawal of the point of order? The Chair hears none.

Mr. GARNER. Mr. Chairman, I offer an amendment, on page 18, line 6, to strike out the word "expended" and insert the words "June 30, 1916."

The CHAIRMAN. The gentleman from Texas [Mr. GARNER] offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 18, line 6, strike out "expended" and insert "June 30, 1916."

Mr. MANN. Mr. Chairman, the gentleman from Tennessee stated a moment ago that the limitation in the Constitution did not apply to the Navy.

Mr. PADGETT. That is my recollection. I have not read it in a good many moons.

Mr. MANN. I will read it:

To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

To provide and maintain a navy.

I think the gentleman is right in his contention; but I do not think it applies to this item, anyhow.

Mr. PADGETT. No; this is manufacture.

Mr. MANN. That is what I rose to say. This is not to raise and support either an army or a navy.

Mr. PADGETT. Certainly not. This is to manufacture certain material.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. PADGETT) there were—ayes 40, noes 0.

Accordingly the amendment was agreed to.

The Clerk read as follows:

For replacing Mark VI 6-inch guns with Mark VIII guns and repairing and modernizing the Mark VI guns for issue, to be available until expended, \$150,000.

Mr. PADGETT. I move to strike out the word "expended," in line 3, and insert "June 30, 1916."

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

The Clerk read as follows:

Line 3, page 19, strike out "expended" and insert "June 30, 1916."

The amendment was agreed to.

The Clerk read as follows:

For liners for eroded guns, to be available until expended, \$100,000.

Mr. PADGETT. Mr. Chairman, I move to strike out the word "expended," in line 4, and insert "June 30, 1916."

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

The Clerk read as follows:

Page 19, line 4, strike out "expended" and insert "June 30, 1916."

The amendment was agreed to.

The Clerk read as follows:

Ammunition for ships of the Navy: For procuring, producing, preserving, and handling ammunition for issue to ships, \$3,178,890, to be available until expended.

Mr. WITHERSPOON. Mr. Chairman, I offer an amendment to that paragraph.

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

The Clerk read as follows:

Page 19, line 10, after the word "ships," strike out the figures "\$3,178,890" and insert the figures "\$2,802,890."

Mr. WITHERSPOON. Mr. Chairman, the Chief Ordnance explained to the committee that the sum carried in this paragraph includes \$360,000 for the purchase of powder. I say we do not need it, that it is a waste of money, and I think that sum ought to be deducted from it. That is the purpose and effect of the amendment I propose.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. WITHERSPOON].

The amendment was rejected.

Mr. STAFFORD. Does the chairman of the committee intend to offer an amendment to this paragraph similar to the amendments he has offered to the preceding paragraphs?

Mr. PADGETT. No; this is old language that has been carried from year to year, and the point which applied to the other paragraphs does not apply to this.

Mr. MOORE. Will the gentleman kindly inform us whether small-arms ammunition is provided for in this paragraph?

Mr. PADGETT. Yes; they can buy small-arms ammunition, but we buy all of our small-arms powder from the Army.

Mr. MOORE. That is what I want to get at.  
Mr. PADGETT. The Navy buys all of its small-arms powder from the Army.

Mr. MOORE. Under the new Army bill the Army will manufacture in Government factories probably 90 per cent of its supply, will it not?

Mr. PADGETT. I presume so; I do not know whether it amounts to 90 per cent.

Mr. MOORE. Heretofore the requisition for small arms in use in the Navy has been made on the War Department?

Mr. PADGETT. Yes; the War Department has been furnishing them for years.

Mr. MOORE. Independent purchases have not been made?

Mr. PADGETT. No; I do not think there have been any.

Mr. CULLOP. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. CULLOP. Is this the amount that was carried in the bill last year?

Mr. PADGETT. Yes.

Mr. CULLOP. Was the whole amount expended last year?

Mr. PADGETT. Yes.

Mr. CULLOP. I see the amount is to be available until expended.

Mr. PADGETT. I beg the gentleman's pardon. It was \$3,850,000 last year, and we have reduced it to \$3,178,890.

Mr. CULLOP. Was the whole amount expended last year?

Mr. PADGETT. It was either expended or obligated.

Mr. WITHERSPOON. I think the chief of the bureau said that they had expended the whole of it.

Mr. PADGETT. He may not have expended the whole of it, but he may have made contracts, and it might not all have been delivered.

Mr. CULLOP. I wanted to know whether there was some that was not expended; and, inasmuch as there is a provision making it available until expended, there would be some of that available.

Mr. PADGETT. Instead of increasing it, we have reduced it about \$600,000.

Mr. MANN. The gentleman from Tennessee, chairman of the committee, has several times observed that this was not a very appropriate time to cut down appropriations for the Navy. Does the gentleman think this an appropriate time to cut down the item for ammunition for the ships of the Navy? It was \$3,850,000 for the current year, and you have reduced it to \$3,178,890.

Mr. PADGETT. The chief of the bureau recommended that reduction in the hearings before the committee on account of the fact that he got projectiles, heretofore referred to in debate, at a much cheaper price; that there has been a saving of about \$600,000; and so we reduced the amount. That enabled him to buy that much more.

Mr. MANN. That was before the present emergency arose that the gentleman has referred to on every other occasion. Now, in view of the present situation, quoting the gentleman's language, does the gentleman think that this is an appropriate time to reduce the appropriation from what it now is?

Mr. PADGETT. As the bill has been reported carrying the reduction on account of economies heretofore stated, and the department not asking for an additional amount, I think the amount in the bill is sufficient. They get the same results from a less appropriation.

Mr. MANN. We do not know what the result will be until we fire some of the ammunition.

Mr. PADGETT. That may be, but we get the same result in the amount of purchase.

The Clerk read as follows:

Torpedoes and appliances: For the purchase and manufacture of torpedoes and appliances, to be available until expended, \$1,000,000.

Mr. PADGETT. Mr. Chairman, I move to strike out the word "expended," in line 13, and insert in place thereof the words "June 30, 1916."

Mr. STAFFORD. Mr. Chairman, I would like to ask the gentleman from Tennessee why this appropriation could not be utilized for the fiscal year?

Mr. PADGETT. Because it takes more than two years to manufacture the torpedoes that this item appropriates for. The matter that I was hesitating a moment ago about was to make it clear that June 30, 1916, would be a long enough time, and I think it will.

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

The amendment was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I rise for the purpose of asking the chairman of the Naval Committee a question. We have now in stock only about one torpedo for each tube?

Mr. PADGETT. No. I have a statement here, which I will show to the gentleman or anyone else, that gives a detailed statement as to the condition of the torpedoes. I am glad to report that we are in splendid condition.

Mr. GREEN of Iowa. You have only about 1,000 on hand?

Mr. PADGETT. I can not give the exact number, but I will state that the number we have under the provisions that have been made for torpedoes is satisfactory.

Mr. GREEN of Iowa. This is public property already?

Mr. PADGETT. No; it is not. The things circulated in the press are not at all accurate. I am perfectly willing to give the gentleman the figures, and he will see at once that the status we are in is a very satisfactory one and one with which the department is entirely satisfied and well pleased.

Mr. GREEN of Iowa. The gentleman may be perfectly satisfied, but I am not.

Mr. PADGETT. Will the gentleman take these figures and look at them? He undoubtedly gets his dissatisfaction from the reports in the newspapers, that are not borne out by the facts.

Mr. GREEN of Iowa. No; I get it from reading scientific journals.

Mr. PADGETT. This is an official statement which I have here from the Chief of the Bureau of Ordnance, giving detailed statements, and I am perfectly willing to give it to the gentleman or any other Member of the House, but I do not think it would be proper to publish it.

Mr. GREEN of Iowa. I do not care for it for that purpose. It takes something over a year to manufacture a first-class torpedo, and about two years from the time they are ordered before we can get them into commission?

Mr. PADGETT. Yes; but we are in fine shape on the question of torpedoes, the newspaper statements to the contrary notwithstanding. I am willing to submit to the gentleman or any other Member this detailed statement.

Mr. GREEN of Iowa. As the gentleman does not care to go into the subject publicly I will not go into it further.

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

Mr. PADGETT. Yes.

Mr. BARTON. The statement of the heads of the department that we were totally unprepared for war is not well founded.

Mr. PADGETT. I do not know who made that statement; but I do not think it is well founded.

The Clerk read as follows:

Experiments, Bureau of Ordnance: For experimental work in the development of armor-piercing and other projectiles, fuses, powders, and high explosives, in connection with problems of the attack of armor with direct and inclined fire at various ranges, including the purchase of armor, powder, projectiles, and fuses for the above purposes and of all necessary material and labor in connection therewith; and for other experimental work under the cognizance of the Bureau of Ordnance in connection with the development of ordnance material for the Navy, \$150,000.

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

The Clerk read as follows:

Page 19, line 21, after the word "armor-piercing," insert the words "and torpedo shell," so as to read: "In the development of armor-piercing and torpedo shell and other projectiles."

Mr. HOBSON. Mr. Chairman, this amendment is not necessary for giving authority to the department to carry on this experiment. It is merely a recognition of a stage in ordnance development that has now been reached. The torpedo shell is being used in the navies of the world. A recent experiment in the British Navy gave a very striking illustration, where the *Empress of India*, one of their battleships of about the middle nineties, was put at a distance of 16,000 yards and was destroyed, and the report was that there were breeches in her side as large as lock gates.

Mr. FOWLER. Mr. Chairman, the torpedo shell did not strike the *Empress*, but struck in the water near her. Is not that true?

Mr. HOBSON. I am not informed as to that detail.

Mr. FOWLER. I understand that it did not even strike the battleship.

Mr. PADGETT. Mr. Chairman, stating that this is a recognition and not to be construed as a direction to the department with reference to any particular make or form of shell, and I do not understand the gentleman to mean it to be a direction—

Mr. HOBSON. No.

Mr. PADGETT. About any particular shell?

Mr. HOBSON. No; and the words do not give it, either.

Mr. PADGETT. Understanding it so, I have no objection to the amendment.

The CHAIRMAN. The question is on the adoption of the amendment.

The amendment was agreed to.



The Clerk read as follows:

Arming and equipping Naval Militia: For arms, accouterments, ammunition, medical outfits, fuel, water for steaming purposes, and clothing, and the printing or purchase of necessary books of instruction, expenses in connection with the organizing and training of the Naval Militia of the various States, Territories, and the District of Columbia, under such regulations as the Secretary of the Navy may prescribe, \$125,000.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. How will the Naval Militia be accepted in the service?

Mr. PADGETT. We recently passed a general bill upon that subject, organizing and establishing upon an organized basis the Naval Militia, with specific provisions and instructions relative to that.

Mr. MOORE. What has become of that bill?

Mr. PADGETT. It has become a law.

Mr. MOORE. Has it been passed and signed?

Mr. PADGETT. Yes.

Mr. MOORE. Then the question naturally arises, how will the Naval Militia be accepted in the service if the President should issue a call for the Mexican emergency?

Mr. PADGETT. If there is occasion or necessity for that, they will be accepted gladly and given the recognition provided for them in this law, which is very liberal and was entirely satisfactory to the Naval Militia.

Mr. MOORE. I think the gentleman does not quite understand what I am driving at. I want to know just how the Navy Department would receive the Naval Militia. They are organized as the National Guard is. With reference to the National Guard, we are told that they would be accepted as volunteers in regiments, and that the officers would be accepted up to the rank of colonel, and that beyond that the officers would not be accepted, except at the discretion of the War Department or the President.

Mr. PADGETT. These are called in by the President as an emergency may arise under the law, and when they come in they are distributed into the different ships according to the provisions of the law. They may be assigned to some of the subordinate ships. It is all provided for in the law which recently was enacted.

Mr. MOORE. There may have been some later information as to what our various constituencies in the Naval Militia would have to do when called for the service of the Government.

Mr. PADGETT. That is provided in the law—how they come in, how the Secretary of the Navy may make regulations—and I am told they are coming in very rapidly. Since that law was passed the States are accepting it.

Mr. MOORE. There is an organization in Pennsylvania. Now, will that organization be accepted as a body, with its present officers? If called for and they would volunteer and be accepted, would they go in intact as a body, or would their officers be distributed and the men sent to various ships?

Mr. PADGETT. That would depend upon the Secretary of the Navy how they might be distributed. They might be distributed among different vessels, or they might go on one vessel. That would depend upon the Secretary of the Navy when they become a part of the naval organization. Whenever they are accepted they accept the terms of detail as any other naval force.

Mr. MOORE. Is the gentleman sufficiently informed to tell us whether if the Pennsylvania Naval Militia were to offer itself as a body, volunteering upon the call of the President, it would be assigned as a body, or would it be cut up and its officers distributed hither and yon?

Mr. PADGETT. I could not tell the gentleman how it would be. They might be assigned to one ship or they might be distributed to different vessels.

Mr. MOORE. Well, there would be an inclination of those trained together to enlist together and serve together.

Mr. PADGETT. That would be a matter that would address itself to the superior officers in the Navy in making their assignments.

Mr. MOORE. That would be subject to the discretion of the Secretary of the Navy?

Mr. PADGETT. Why, certainly.

The Clerk read as follows:

Contingent, Bureau of Ordnance: For miscellaneous items, namely: Cartage, expenses of light and water at magazines and stations, tolls, ferrage, technical books, and incidental expenses attending inspection of ordnance material, \$9,500.

Mr. MANN. Mr. Chairman, I move to strike out the last word just for the purpose of suggesting to my genial friend—

Mr. PADGETT. Mr. Chairman, I am going to say to the gentleman I was just about to announce to the Chair that all present have been so patient and so kind to the chairman and oth-

ers in consideration of the bill that I now move that the committee rise.

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

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, 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. 14034, the naval appropriation bill, and had come to no resolution thereon.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills and joint resolution:

H. J. Res. 204. Joint resolution authorizing the Secretary of Agriculture to make exhibits at forest products' expositions to be held in Chicago, Ill., and New York, N. Y.;

H. R. 122. An act authorizing the State of California to select public lands in lieu of certain lands granted to it in Imperial County, Cal., and for other purposes;

H. R. 5487. An act to authorize an additional appropriation for the erection of the United States appraisers' stores building at Milwaukee, Wis.; and

H. R. 11269. 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.

JAMES J. COATES.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk, with an amendment.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 480 (H. Rept. 593).

Resolved, That House resolution 145, Fifty-ninth Congress, first session, be amended by striking out the name of Robert Coates and inserting the name of James J. Coates.

With the following committee amendment:

Strike out all after the word "Resolved," line 1, and insert the following:

"That James J. Coates be, and he is hereby, appointed a laborer at \$840 per annum, as successor to Robert Coates, named in House resolution adopted June 5, 19—, referred to in the current law making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913. Said appointment to commence April 20, 1914."

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, may I ask the gentleman, Does this boy Robert out here get the same salary?

Mr. LLOYD. Yes, sir.

Mr. GARRETT of Tennessee. There is no difference in the salary?

Mr. LLOYD. No.

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

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

The resolution as amended was agreed to.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. FOSTER was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Jacob Hefer, Sixty-second Congress, no adverse report having been made thereon.

Mr. HAY was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of David Crowther, Sixty-second Congress, no adverse report having been made thereon.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock p. m.) the House adjourned to meet to-morrow, Wednesday, April 29, 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 Secretary of War, transmitting with a letter from the Chief of Engineers reports on preliminary examination and survey of Boston Harbor, Mass., with a view to securing increased width and depth in the channel from Presidential Roads to the sea; also with a view to providing deep-

water connection with such suitable terminals as may be established by the directors of the port of Boston (H. Doc. No. 931); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

2. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation in the sum of \$25,000 for quarantine facilities at Providence, R. I., submitted by the Surgeon General of the Public Health Service (H. Doc. No. 930); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, requesting that the sum of \$100,000 be appropriated by joint resolution or otherwise, to be immediately available for use in the prevention of the introduction and spread of epidemic disease (H. Doc. No. 929); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HUGHES of Georgia, from the Committee on Education, to which was referred the resolution (S. J. Res. 142) authorizing the Vocational Education Commission to employ such stenographic and clerical assistants as may be necessary, etc., reported the same without amendment, accompanied by a report (No. 585), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURNETT, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 6279) to authorize the Secretary of the Treasury to purchase additional land for a public building site at Fairbanks, Alaska, reported the same with amendment, accompanied by a report (No. 588), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DUPRE, from the Committee on the Judiciary, to which was referred the bill (H. R. 11624) to repeal an act approved March 2, 1895, entitled "An act to amend section 3 of an act entitled 'An act to regulate the liens of judgments and decrees of the courts of the United States,' approved August 1, 1888," reported the same without amendment, accompanied by a report (No. 590), which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16053) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, reported the same without amendment, accompanied by a report (No. 592), which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 1182) for the relief of John Brodie, reported the same with amendment, accompanied by a report (No. 584), which said bill and report were referred to the Private Calendar.

Mr. MCKELLAR, from the Committee on Military Affairs, to which was referred the bill (H. R. 9270) to correct the military record of John M. Gray, reported the same with amendment, accompanied by a report (No. 589), which said bill and report were referred to the Private Calendar.

#### ADVERSE REPORT.

Under clause 2 of Rule XIII, Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution (H. Res. 492) requesting the President of the United States to report to the House facts within the knowledge of the Interstate Commerce Commission relating to cases of failure to grant increases in freight rates in certain cases, reported the same adversely, accompanied by a report (No. 586), which said resolution and report were laid on the table.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WHITE: A bill (H. R. 16087) authorizing the Secretary of War to donate to the town of Zanesville, Ohio, one cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16088) authorizing the Secretary of War to donate to the town of Frazeyburg, Ohio, one cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16089) authorizing the Secretary of War to donate to the town of Black Run, Ohio, one cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16090) authorizing the Secretary of War to donate to the town of McConnellsville, Ohio, one cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. J. M. C. SMITH: A bill (H. R. 16091) to amend the homestead laws relative to settlers who served in the Army, Navy, or Marine Corps; to the Committee on the Public Lands.

By Mr. ADAMSON: A bill (H. R. 16092) to amend an act entitled "An act to prevent cruelty to animals while in transit by railroad or other means of transportation from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, and repealing sections 4386, 4387, 4388, 4389, and 4390 of the United States Revised Statutes," approved June 29, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. J. M. C. SMITH: A bill (H. R. 16093) to enlarge, extend, remodel, etc., post-office building at Kalamazoo, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. SELLS: A bill (H. R. 16094) authorizing the Secretary of War to donate condemned cannon and cannon balls; to the Committee on Military Affairs.

By Mr. O'HAIR: A bill (H. R. 16095) to provide for the payment to all persons carried on the pension rolls of the Government the amount of pension due each of said persons at the end of each and every calendar month; to the Committee on Invalid Pensions.

By Mr. BRYAN: A bill (H. R. 16096) to authorize and direct the President of the United States, as Commander in Chief of the Army of the United States, to restore order in certain portions of Colorado and to acquire and operate certain properties, and for other purposes; to the Committee on Military Affairs.

By Mr. HAYDEN (by request): A bill (H. R. 16097) for the establishment of a national park near, adjacent to, and in connection with the Salt River project in the State of Arizona, fixing its boundaries, and prescribing restrictions upon its use and occupancy; to the Committee on the Public Lands.

By Mr. PALMER: A bill (H. R. 16098) revising and amending the statutes relative to trade-marks; to the Committee on Patents.

By Mr. RAKER: A bill (H. R. 16099) to amend the act of June 23, 1910, entitled "An act providing that entrymen for homesteads within the reclamation projects may assign their entries upon satisfactory proof of residence, improvement, and cultivation for five years, the same as though said entry had been made under the original homestead act"; to the Committee on Irrigation of Arid Lands.

By Mr. GODWIN of North Carolina: Resolution (H. Res. 494) providing for an investigation by the Secretary of the Interior to ascertain the status of the Indians of Robeson and adjoining counties of North Carolina; to the Committee on Indian Affairs.

By Mr. GOULDEN: Resolution (H. Res. 495) authorizing the printing of the Journal of the National Encampment of the Grand Army of the Republic; to the Committee on Printing.

By Mr. HULL: Joint resolution (H. J. Res. 256) to amend S. J. Res. 8, approved May 4, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States"; to the Committee on War Claims.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATHRICK: A bill (H. R. 16100) granting a pension to Martha Rodgers Bodine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16101) granting a pension to Alma Drummond Wharfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16102) granting a pension to Marryetta J. Wilson; to the Committee on Invalid Pensions.

By Mr. BUCHANAN of Illinois: A bill (H. R. 16103) to indemnify Arthur A. Sheldon for injuries sustained in the employ of the Post Office Department of the United States Government; to the Committee on Claims.

By Mr. BURKE of Wisconsin: A bill (H. R. 16104) granting an increase of pension to Christina Demerath; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 16105) granting a pension to Mrs. James H. Gillis; to the Committee on Invalid Pensions.



By Mr. CLINE: A bill (H. R. 16106) granting an increase of pension to Mary E. West; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 16107) granting a pension to William P. Duffy; to the Committee on Pensions.

Also, a bill (H. R. 16108) granting an increase of pension to Matilda Dobbins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16109) granting an increase of pension to James Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16110) granting an increase of pension to Joseph Wayman; to the Committee on Invalid Pensions.

By Mr. DOUGHTON: A bill (H. R. 16111) granting a pension to Henry C. Miller; to the Committee on Pensions.

By Mr. GLASS: A bill (H. R. 16112) granting a pension to Hiram C. Howard; to the Committee on Pensions.

Also, a bill (H. R. 16113) granting a pension to Pyrrhus Williams; to the Committee on Pensions.

By Mr. GOLDFOGLE: A bill (H. R. 16114) for the relief of William W. Case; to the Committee on Claims.

Also, a bill (H. R. 16115) to authorize the restoration of Edward P. Bigelow to the retired list of the Army and his appointment as a captain thereon; to the Committee on Military Affairs.

By Mr. HAMILL: A bill (H. R. 16116) granting an increase of pension to Amelia Schoefer; to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 16117) granting an increase of pension to Sophie M. Walker; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 16118) granting an increase of pension to Robert W. Parker; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 16119) granting an increase of pension to Charlotte Diller; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 16120) granting a pension to James C. Crow; to the Committee on Pensions.

By Mr. MORGAN of Louisiana: A bill (H. R. 16121) granting a pension to George Ulmer; to the Committee on Pensions.

By Mr. PALMER: A bill (H. R. 16122) granting a pension to Lottie Beeman; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 16123) granting a pension to Mary Waller; to the Committee on Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 16124) granting a pension to Sarah T. Bradley; to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 16125) granting an increase of pension to William Waterworth; to the Committee on Pensions.

By Mr. SHERLEY: A bill (H. R. 16126) for the relief of the heirs of Richard Butler, deceased; to the Committee on War Claims.

By Mr. STEPHENS of California: A bill (H. R. 16127) granting a pension to Jefferson L. Smith; to the Committee on Pensions.

By Mr. TOWNER: A bill (H. R. 16128) granting an increase of pension to Eli Frazier; to the Committee on Invalid Pensions.

By Mr. VOLLMER: A bill (H. R. 16129) granting an increase of pension to Oliver M. Evans; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. SPEAKER (by request): Memorial of the Calvary Protestant Episcopal Church of Ashland, Ky.; the Men's Union of the Baptist Church of Imlay City, Mich.; the West Creighton Avenue Church of Christ, of Fort Wayne, Ind., protesting against polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Wamego, Kans., and Akron, Ohio, against polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of the Loggers' Association of Oregon and Washington, protesting against repeal of the canal tolls exemption; to the Committee on Interstate and Foreign Commerce.

By Mr. AINEY: Petition of 80 citizens of Factoryville, Pa., and B. F. and Julia Bennett, of Clifford, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 151 voters of Tunkhannock, Pa., favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. ASHBROOK: Papers to accompany House bill 12480, for relief of J. C. Winterringer; to the Committee on Invalid Pensions.

By Mr. BAILEY (by request): Petitions of S. W. Salkeld, B. E. Cutchall, J. M. McIntyre, J. M. Thomas, E. F. Asper, Dr. J. F. Price, J. C. Nicholson, C. A. Chamberlain, Morris Prosser, B. H. Collins, Alex Prosser, J. A. Foster, C. C. Foster, Elmer Evans, Rhody Figard, W. M. Figard, John Smith, Frank Satterfield, Harry Musser, J. C. McGahey, Rufus Stevens, W. R. Figard, Thomas Jenkins, J. W. Skipper, Thomas Fleck, Thomas Donaldson, Charles V. Barton, John Fields, W. M. Buckley, T. J. McDonald, C. A. Blair, Mat Buckley, Jack Whitney, J. F. Lanagan, James Miller, Charles Black, all of Six Mile Run; H. R. Brady, of Everett; Stanley Cleaves, of Defiance; M. L. Butler, of Altoona, all of the State of Pennsylvania, favoring passage of House bill 4981, the Lindquist pure fabric and leather bill; to the Committee on Interstate and Foreign Commerce.

Also (by request), petitions of Rev. E. A. Sharp, Harry Mulhollen, Joseph McMonigal, E. G. Miles, Amos Plummer, W. H. Hern, David Smith, Walker Billings, William Towle, John Mason, Charles Wild, George Gregory, Caleb Plummer, Charles George, C. W. Cullen, G. D. Morgan, Charles E. Patten, Alvin McMonigal, Alvin Plummer, M. N. Witmer, J. D. Miles, W. J. Ritchey, George Ball, John Hough, M. D. Callihan, C. F. Helt, Ronald Lariffer, William W. McConel, G. W. Emeigh, A. H. Ritchey, J. L. Wilson, James Lowery, George Washburn, M. U. Paul, J. M. Haslett, W. H. Moore, R. M. Cocoder, Joel Shawley, all members of the United Brethren Church of Portage, Pa., favoring a national constitutional prohibition amendment; to the Committee on the Judiciary.

Also (by request), petitions of F. C. Dively, A. A. Burket, Albert Claar, Austin Claar, William J. Wyant, William Stiffler, and W. H. Lingenfelter, of Claysburg; A. I. Claar, McClellan Walters, Adam Walters, Jerry Wright, jr., Alexander Walter, D. A. Claar, M. H. Dively, Irvin Claar, A. F. Claar, M. W. Walter, F. A. Claar, Jesse H. Claar, J. A. Claar, Samuel Hessel, Fred L. Walter, and Lloyd Walter, all of Queen; A. M. Dixon, C. F. Lingenfelter, E. F. Claar, Silas Claar, Ralph Claar, Lorenzo Walter, F. M. Dively, Emanuel Walter, Isaac Feathers, and Harry Claar, of Klahr; and Michael Claar, of Altoona, all of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also (by request), memorial of the Patriotic Societies of Gallitzin, Pa., Grand Army of the Republic Post No. 314, and Sons of Veterans, protesting against any change in the American flag; to the Committee on the Judiciary.

By Mr. BAKER: Petition of sundry citizens of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BELL of California: Memorial of the Riverside Chamber of Commerce, asking for appropriation for the development of irrigation work in Victor Valley, Cal.; to the Committee on Rivers and Harbors.

Also, memorial of the Riverside Chamber of Commerce, favoring the child-labor bill; to the Committee on Labor.

Also, petition of sundry citizens of Los Angeles, Cal., protesting against passage of the Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of sundry voters of the ninth congressional district of California, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BORCHERS: Petitions of the Woman's Christian Temperance Union of Urbana; Epworth League Chapter No. 19623, and the Young People's Society of Christian Endeavor of the Presbyterian Church of Urbana; the Christian Endeavor Society of the First Congregational Church and the Woman's Christian Temperance Union of Champaign; and the First Methodist Episcopal Church of Decatur, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of the Young People's Society of Christian Endeavor of Ashmore; the Methodist Episcopal Sunday School of Monticello; sundry citizens of Decatur; the Baptist Young People's Union of the First Baptist Church of Urbana; the Christian Young People's Union of Champaign; sundry citizens of Atwood; the Woman's Christian Temperance Union of Coles County; various members of the Epworth League and the Bible Class of the Presbyterian Church at Monticello; and the Methodist Episcopal Church of Sullivan, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Shelby County, Ill., protesting against passage of Sunday-observance bill; to the Committee on the District of Columbia.



By Mr. BRODBECK: Petitions of 92 citizens of Abbotstown and 50 citizens of York, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BROWN of New York: Petition of the Huntington (N. Y.) Episcopal College, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BUCHANAN of Illinois: Petition of sundry citizens of Chicago, Ill., favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

By Mr. CALDER: Petition of sundry citizens of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. CANTOR: Petition of 854 citizens of the twentieth congressional district of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. CARY: Petition of sundry citizens of Wauwatosa, the Berean Presbyterian Church, and 755 citizens of Milwaukee, all in the State of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of William Wallace, Henry Vetter, and H. B. Bartelsen, all of Milwaukee, Wis., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Clark, Marathon, and Wood County Unions of the American Society of Equity, relative to legislation in restraint of trade; to the Committee on the Judiciary.

By Mr. CURRY: Petition of 13 citizens of Richmond, Cal., favoring House bill 12928, relative to Sunday hours for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of 22 citizens of Richmond, Cal., against Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. DERSHEM: Petitions of 200 citizens of Middleburg, sundry citizens of Roxbury, 3 citizens of Concord, 325 citizens of Selinsgrove, 955 citizens of Lewistown, 420 citizens of Mount Union, and 1,221 citizens of Huntingdon, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DICKINSON: Petition of a committee representing the miners of Henry County, Mo., asking that the Government and Congress intercede and stop further hostilities and murders resulting from the strike and hostilities now going on in Colorado; to the Committee on Rules.

By Mr. DIXON: Petitions of 15 citizens and the Baptist Church of Greenwood, 25 citizens of Rykers Ridge, 121 citizens of Moores Hill, 30 citizens of Vernon, 250 citizens of Vallonia, 20 citizens of West Madison, 37 citizens of Wrights Corners, Rev. C. P. Baron, of Yorkville; 78 citizens of Greensburg, 336 citizens of Brownstown, 41 citizens of Hope, and 53 citizens of Switzerland, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of sundry citizens of Kansas, favoring establishment of a bureau of farm loans in the Treasury Department; to the Committee on Appropriations.

By Mr. DOREMUS: Petition of George Moore and 5,857 voters of Wayne County, Mich., protesting against the Hobson-Sheppard and Works resolutions, known as House joint resolution 168 and Senate joint resolutions 50 and 88, relative to national prohibition; to the Committee on the Judiciary.

By Mr. DUNN: Petition of sundry citizens of Webster, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 229 citizens of Monroe County, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of more than 2,860 voters of Monroe County, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. FITZGERALD: Petitions of 93 citizens of the seventh congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. FRANCIS: Petition of 90 citizens of Tuscarawas and Carroll Counties, 45 citizens of Leesville, 300 citizens of Toronto, 973 citizens of Barnesville, 80 citizens of Tippecanoe, 82 citizens of Scio, and sundry citizens of Somerton, Bellaire, and Freeport, all in the State of Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Rev. J. H. Lawther, Bellaire; members of the Hamlin Church, Steubenville; and Emerson Grange, No. 1426, all in the State of Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FREAR: Petition of 924 citizens of the tenth congressional district of Wisconsin, against national prohibition; to the Committee on the Judiciary.

By Mr. GRIEST: Petition of E. H. Henry and the Christian Endeavor Societies of the City Union, of Lancaster, Pa.; also George D. Nibel, of Strasburg, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: Memorial of the Seattle Chamber of Commerce, protesting against extension of the parcel post; to the Committee on the Post Office and Post Roads.

Also, memorial of the Central Labor Council of Seattle, Wash., urging Federal intervention in the Colorado strike situation; to the Committee on the Judiciary.

Also, resolutions favoring free tolls for American coast-to-coast vessels through the Panama Canal, passed by the Loggers' Association of Oregon and Washington; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Connecticut: Petition of Gleivick Flack, John G. Hammel, and others, of Seymour, Conn., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of 12 Woonsocket (R. I.) Sunday Schools and Universalist Sunday School of Woonsocket, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KONOP: Petition of the United Societies for Local Self-Government, of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. LA FOLLETTE: Resolutions of Local Union No. 2510, United Mine Workers of America, of Roslyn, Wash., protesting against strike conditions in Colorado; to the Committee on Rules.

Also, petition of sundry citizens of Kennewick, Wash., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of the third congressional district of Washington, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of 31 citizens of Nespelem, 100 citizens of Leavenworth, 200 citizens of Cashmere, 500 citizens of Wenatchee, and 200 citizens of Davenport, all in the State of Washington, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Stevens County, Wash., favoring passage of House bill 12923, relative to Federal loans; to the Committee on Banking and Currency.

Also, resolutions of the Spokane (Wash.) Chamber of Commerce, protesting against House bill 11093, to withdraw from mineral entry all lands upon the Colville Indian Reservation; to the Committee on Indian Affairs.

Also, petition of sundry citizens of Twining, Mich., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LEVY: Petition of 1,320 citizens of the fourteenth New York congressional district, against national prohibition; to the Committee on the Judiciary.

By Mr. LEWIS of Maryland: Petition of 39 citizens of Carroll, 58 citizens of New Windsor, 81 citizens of New Market, 24 citizens of Walkersville, and 40 citizens of Union Bridge, all in the State of Maryland, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEWIS of Pennsylvania: Petitions of 1,345 citizens of Allentown, 1,400 citizens of Ellwood City, and 100 citizens of Lyons, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LINDQUIST: Petitions of 190 citizens of East Jordan, 615 citizens of Boyne City, 40 citizens of St. Louis, 216 citizens of Charlevoix, 70 citizens of Coral, 300 citizens of Breckinridge, 80 citizens of Lakeview, and 189 citizens of Marion, all in the State of Michigan, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Lake George, Alma, and Sumner, and vicinity, all in the State of Michigan, against Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Sumner, Alma, and Clare County, all in the State of Michigan, favoring House bill 12928, relative to Sunday hours for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. MCGILLICUDDY: Petitions of the Free Baptist Church of Topsham, and citizens of Waldoboro and Jefferson, all in the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MERRITT: Petition of 320 voters of the thirty-first New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.



Also, petition of 200 citizens of the thirty-first New York congressional district, against national prohibition; to the Committee on the Judiciary.

By Mr. NELSON: Petitions of sundry citizens of Lafayette County, Wis., and the First Methodist Episcopal Church of Sun Prairie, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PALMER: Petition of 104 citizens of South Bethlehem, 193 citizens of Easton, 130 citizens of Milford, and 85 citizens of North Water Gap, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Scranton, Pa., against House bill 13723; to the Committee on Ways and Means.

Also, petition of the Greenfield Board of Trade, of Pittsburgh, Pa., favoring House bill 5139, the civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. PATTEN of New York: Petitions of 885 citizens of the eighteenth New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. PAYNE: Petition of sundry citizens of Shortsville, Port Byron, and Reeds Corners, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the thirty-sixth New York congressional district, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Lyons and Ontario County, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PLATT: Petition of 3,080 citizens of the twenty-sixth New York congressional district, against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Port Jervis, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of 243 citizens of Fishkill, 23 citizens of Millbrook, 57 citizens of Circleville, 60 citizens of Moores Mills, 100 citizens of Pleasant Plains, and 200 citizens of Hopewell Junction, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. REILLY of Connecticut: Petition of Pascol Dowed, of Meriden, Conn., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. RIORDAN: Petition of 928 citizens of the eleventh congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. SINNOTT: Petitions of sundry citizens of Oregon, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STAFFORD: Petition of the Merchants and Manufacturers' Association of Milwaukee, protesting against Wisconsin and upper Michigan being attached to the Minneapolis reserve bank district; to the Committee on Banking and Currency.

By Mr. STEPHENS of California: Petition of W. E. McLaughlen and R. A. Forsyth, of Los Angeles, Cal., indorsing resolutions of the Chamber of Commerce of Victor Valley, Cal., favoring appropriation for the Mohave River; to the Committee on Rivers and Harbors.

Also, petition of the Woman's Christian Temperance Union of Los Angeles, Cal., numbering 1,136 members, against increasing the Navy; to the Committee on Naval Affairs.

By Mr. STEVENS of New Hampshire: Petitions of the congregation of the Baptist Church of Hopkinton; the congregation of the First Universalist Church of Manchester; the First Baptist Church of Cornish; the Congregational Church of Cornish; the Rockingham Grange, of Epping; the First Baptist Church of Derry; the Methodist Episcopal Church of Epping; the Woman's Christian Temperance Union of Epping; the First Baptist Bible School, of Fitzwilliam; the Young People's Society of Christian Endeavor of Peterboro; the Baptist Young People's Society of Christian Endeavor of Peterboro; the Woman's Christian Temperance Union of Peterboro; the Sunday School of Congregational Church of Hopkinton; the Baptist Church of Campton; the Congregational Churches of Sullivan; the congregation of the Christian Endeavor Society of the Union Evangelical Congregation, of East Sullivan; the Christian Endeavor Society of the West Congregational Church, of Concord; the West Congregational Church, of Concord; the Merrimack County Christian Endeavor Union, of Concord; the Sunday School of the West Congregational Church, of Concord; the Methodist Church of West Rindge; the Methodist Episcopal Church of Warren; the Baptist Church of South Acworth; the Society of Christian Endeavor of Greenville; the Christian Endeavor Society of Sullivan; the Sunday School of the First Congregational Church of Sullivan; the First Baptist Church of Nashua; the Congre-

gational Church of Hopkinton; the Sunday School of the Union Evangelical Congregational Church, of East Sullivan; the First Methodist Episcopal Church of Concord; the First Baptist Church of Meriden; the South Congregational Church, of Newport; the Newport Methodist Episcopal Congregation and Epworth League and Northville Union Congregation; the First Baptist Church of Newport; the Woman's Christian Temperance Union of Milan; the Christian and Congregational Churches of Hill; the Methodist Episcopal Church of Richmond; the Epworth League of Fitzwilliam Depot; the First Baptist Church of Berlin; the Sunday School of the Congregational Church of Hill; the Congregational Church of Campton; the Sunday School of the Congregational Church of Campton; the Methodist Episcopal Church of Fitzwilliam Depot; the Congregational Church of Greenville; the Epworth League of Peterboro; the Orthodox Congregational Church of Gilsun; the Congregational Church of Jaffrey; the Ashland Free Baptist Church; the First Baptist Sunday School, of Concord; the First Baptist Church of East Jaffrey; the Woman's Christian Temperance Union of North Charlestown; the Woman's Christian Temperance Union of West Unity; the Young People's Society of Christian Endeavor of West Unity; the Methodist Episcopal Church of West Unity; the West Unity Sunday School; the Methodist Episcopal Church of East Colebrook; the Ladies' Aid Society of Groveton; the Methodist Episcopal Church of North Charlestown; the Young People's Society of Christian Endeavor of East Concord; the Woman's Christian Temperance Union of Rindge; the Methodist Episcopal Church and Sunday School of East Haverhill; the Hillsboro County Woman's Christian Temperance Union; the Sunday School of the First Baptist Church; the Advent Christian Church of Concord; the First Universalist Church of Woodsville; the First Methodist Episcopal Church of Claremont; the First Baptist Church of Troy; the Crown Hill Baptist Church, of Nashua; the Lovell Bible Class for Men of the Crown Hill Baptist Church, of Nashua; the Methodist Episcopal Church of Sunapee; the Free Baptist Church of Franklin; the Wesley Bible Class of the First Methodist Episcopal Church, of Claremont; the Methodist Episcopal Church of Stratford; the First Baptist Church of Warner; the Epworth League of the First Methodist Episcopal Church, of Claremont; the First Baptist Church of Lebanon; the Young People's Society of Christian Endeavor of the First Baptist Church of Lebanon; the Sunday School of the First Baptist Church of Lebanon; the congregation, the Sunday School, and the Young People's Society of Christian Endeavor of the Congregational Church, of Nashua; the congregations of the First Baptist and First Congregational Churches of Bradford; the Sabbath School of the First Congregational Church of Nashua; the First Congregational Church of Frankestown; and also of sundry other citizens, all in the State of New Hampshire, in favor of national prohibition; to the Committee on the Judiciary.

Also, petitions of the pulp sulphite and paper mill workers of Berlin; the Bakery and Confectionery Workers' Union of Concord; Bartenders' Union, Local 647, of Concord; Bartenders' Union, Local 633, of Nashua; and also of sundry other citizens, all in the State of New Hampshire, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. SUTHERLAND: Papers to accompany House bill 15106, for relief of W. H. Mallow; to the Committee on Invalid Pensions.

By Mr. TALCOTT of New York: Petition of the Middleville (N. Y.) Woman's Christian Temperance Union, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of various members of the congregation of the Tabernacle Baptist Church of Utica, N. Y., and sundry citizens of Frankfort, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TAYLOR of Arkansas: Petitions of 303 citizens of Monticello, Ark., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TEN EYCK (by request): Petition of George Spolt, Richard Geith, W. R. Hill, Hyman Straus, William J. Dooley, Domenico Cona, B. Stumpf, Lewis Vedder, Frank Driscoll, and other voters of the twenty-eighth congressional district of New York, protesting against the passage of the Hobson-Sheppard-Works bill; to the Committee on the Judiciary.

By Mr. VOLLMER: Petition of E. A. Wulf, Ed Carstens, and 53 others, against national prohibition; to the Committee on the Judiciary.

By Mr. WALLIN: Petition of 150 voters in the thirtieth New York district, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of New York, against national prohibition; to the Committee on the Judiciary.



Also, petition of sundry citizens of Amsterdam and Schenectady, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WHITE: Petition of Earl Barrows, of Marietta, Ohio, and 30 others, protesting against national prohibition; to the Committee on the Judiciary.

Also petition of J. E. Rardon, of Marietta, Ohio, Rural Free Delivery No. 4, and 50 others, protesting against the adoption of national prohibition; to the Committee on the Judiciary.

By Mr. WOODRUFF: Petition of sundry citizens of Prescott and Maple Ridge, Mich., favoring rural-credit legislation; to the Committee on Banking and Currency.

Also, petition of sundry citizens of Michigan, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of various Choc-taw and Chickasaw Indians, favoring a per capita payment; to the Committee on Indian Affairs.

## SENATE.

WEDNESDAY, April 29, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, our continual cry to Thee is for light, light more abundant. Thou hast committed to us the great power of self-determination and with it Thou hast given to us our likeness to God. We pray that all that is within us may respond to the Divine ministry, so that the outward expression of the thoughts of our hearts may be godlike. We pray that Thou wilt guide us this day in every thought. Let us remember that it is not in the great crises of life, amidst the stir and storm and stress of the world, that our real personal revelation must come, but in the unguarded moments, the hours of conflict of opinion and personal contact, we may express that which is godlike within us. So do Thou help us to live this day. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

### REVENUES OF RAIL CARRIERS.

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, in response to a resolution of the 28th instant, certain anonymous letters and communications and written letters and printed letters and communications with signatures thereto, circulars, clippings, newspaper or magazine articles marked or otherwise that are immediately available, and stating that all additional papers of the nature referred to in the resolution and received by the commission will be presented at the earliest practicable moment, which was ordered to lie on the table.

### PERSONAL EXPLANATION—LABOR TROUBLES IN COLORADO.

Mr. THOMAS. Mr. President, I seldom pay much public attention to statements in the public press concerning myself, since to do so neither corrects the evil nor subserves any satisfactory purpose. I am impelled, however, to make this occasion an exception to the rule because of conditions now prevailing in my State.

The World of this morning contains an article relating to the action of the President yesterday in mobilizing Federal troops in obedience to the requisition of the governor of Colorado in which I find this statement, referring to a conference between the President and myself:

At this conference the President was told by Senator THOMAS that in the beginning the sympathy was with the strikers, but that lately it had turned against the miners because of their repeated breaking of truces. He informed the President that the merciless killing of men, women, and children by mine guards and State militia a few days ago was largely the fault of the miners; that the guards and militia were attacked during a truce period and were compelled to fire in self-defense. It was this return fire which slaughtered so many innocents and induced Gov. Ammons to appeal to the Federal Government for aid, Senator THOMAS informed the President.

The writer of this statement is entirely mistaken. I have refrained from expressing any opinion or of passing final judgment upon the immediate causes of the present disasters in my State. I have, however, felt it my duty to lay before the President all the information reaching me from reputable sources, including, of course, statements from both sides of the controversy, as well as from noncombatants and officials of the State. In doing this I have expressed no opinion as to the real fault and as to the sources or the responsibility for the resumption of violence and disorder on the 20th of the month and continuing to yesterday. Both will, I hope, be fully disclosed in time.

### AFFAIRS IN MEXICO.

Mr. FALL. Mr. President, I have several telegrams in the nature of petitions, which I ask to have read.

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

The Secretary read as follows:

[Telegram.]

GALVESTON, TEX., April 28, 1914.

Senator A. B. FALL,  
Washington, D. C.:

Know your past interest in behalf of ill-treated Americans in Mexico. Wish to inform you that an attempt was made to maltreat and lynch Vice Consul Bevens on streets of Tampico after most refugees had sought safety on foreign ships; Bevens was saved with difficulty by British consul. Wholesale slaughter of Americans in Southern Hotel surrounded by mob, among whom were Mexican officers, was only averted by the coolness of Ed Williams, formerly United States consul at Durango, and others, who persuaded the few armed men inside building protecting 150 men, women, and children to withhold fire until last moment; this rule was strictly enforced in spite of frequent and persistent efforts of mob to batter down hotel doors. Since then this building has been recklessly searched and probably looted; coaches were stopped in Tampico and American occupants forced to get out and shout "Long live Huerta—Death to the Americans." All mobs were incited by incendiary speeches made by leading Mexican lawyers, doctors, and customhouse officials, who are well known to many of us. One of my boats, filled with fleeing American men and women and some Chinamen, was held up by the Mexican gunboat *Vera Cruz* in the Panuco River, although they had a pass from Gen. Zaragoza, in command of Federals at Tampico. This boat was forced at the point of guns to return up the river and there remain for many hours. Wish call your attention further to fact that none of us know what has occurred since the city of Tampico and all of the valuable properties owned by Americans in that vicinity have been absolutely abandoned by the owners and caretakers. I represent an oil company having over 3,000 small shareholders, composed of men of small means. We have a property of immense value that we have been forced to leave entirely unprotected from the acts of careless people and of employees who hate us, because we are Americans, and for no other reason. Call your attention further to fact that the outrages committed upon Americans are occasioned by no acts performed by these Americans, but simply because they are Americans, and many of us fear that unless we are avenged life will not be worth living for us in Tampico vicinity. We call your attention further to the fact that at all times during the past 8 or 10 months the port of Tampico has been under the guns of American gunboats lying directly in the harbor in front of the city and but a few hundred yards distant. But when the hatred of the Mexican population at Tampico has been brought to blood heat by the landing of American troops at Vera Cruz and by the trouble raised over the arresting of marines in Tampico, our Government peremptorily ordered Admiral Mayo to remove all gunboats from the river without any notice to American inhabitants or any invitation to take refugees on board same. It is commonly understood that Admiral Mayo informed Washington fully of the situation existing and warned Washington of danger to American citizens if such course was adopted. Call your attention further to the fact that all the Americans who secured safe refuge did so through courtesy of foreign nations, to wit, German and English, whereas within 9 miles from the port was a fleet of our own Nation equipped with men, anxious to rescue their own countrymen, and who feel ashamed over the fact that what was their duty was turned over to the forces of other nations.

JOHN N. NEWELL.

[Telegram.]

GALVESTON, TEX., April 28, 1914.

Hon. A. B. FALL,  
United States Senate, Washington, D. C.:

In reply to yours to Wood. Outrages and insults to Americans in Tampico can not be exaggerated, not to speak of the destruction of millions of property. Can state with positive assurance that present arrangement will result in untold property losses to all Americans, and will also make it impossible for them to continue in business of any kind in Mexico in the future.

S. R. R. POLLOCK,  
Refugee, U. S. S. Connecticut.

The Secretary proceeded to read a telegram from J. B. Wood, and was interrupted by.

Mr. GORE. Mr. President, is this communication being read by unanimous consent?

The VICE PRESIDENT. It is.

Mr. GORE. I should like to interpose an objection, if it is not too late, because it is a reflection upon the Secretary of State.

Mr. FALL. I will read it myself, Mr. President, if there is any objection.

The VICE PRESIDENT. It is too late. Unanimous consent was given.

Mr. GORE. I call for the regular order.

The VICE PRESIDENT. This is the regular order. The Secretary will proceed with the reading.

Mr. REED. Mr. President, a parliamentary inquiry. When a request is made in a formal way for unanimous consent to read a document, are we to understand that it is the rule that unanimous consent can not be withdrawn, and that an objection can not be interposed during the reading, if it transpires that there is matter in the document which is objectionable?

The VICE PRESIDENT. The Chair is of the opinion that unanimous consent having been given to the reading of the document it is entitled to be read.

Mr. REED. Unless the right exists for a Senator to object at any time during the course of the reading of a document, the only safe thing to do would be to object to all documents until they have been inspected. Not caviling with the decision of the Chair or the opinion expressed by him, it seems to me a