

Mr. VARDAMAN. What is the question now?

The VICE PRESIDENT. There is not any question pending. The yeas and nays were called for, and the request was not seconded by one-fifth of the Members present.

Mr. VARDAMAN. That is all right.

The VICE PRESIDENT. The amendment has been adopted.

The SECRETARY. The next amendment passed over is, on page 23, line 4, "Purchase and distribution of valuable seeds," where the committee proposes to strike out all of the item as printed in the House bill.

EXECUTIVE SESSION.

Mr. SMITH of Georgia. 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 seven minutes spent in executive session the doors were reopened, and (at 6 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, May 6, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate May 5, 1914.

COLLECTORS OF INTERNAL REVENUE.

Julius F. Smietanka, of Chicago, Ill., to be collector of internal revenue for the first district of Illinois, in place of Samuel M. Fitch, superseded.

Edward D. McCabe, of Peoria, Ill., to be collector of internal revenue for the fifth district of Illinois, in place of Percival G. Rennick, superseded.

PROMOTIONS IN THE NAVY.

The following-named ensigns to be assistant naval constructors in the Navy from the 21st day of April, 1914:

Walter W. Webster.
Beirne S. Bullard.
Ernest L. Patch.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 5, 1914.

CONSULS.

J. Paul Jameson, at Antung, China.
Adolph A. Williamson, at Dalny, Manchuria.
Charles L. L. Williams, at Nanking, China.
Edwin L. Neville to be consul at Tansui, Taiwan.
Albert W. Pontius to be consul at Newchwang, China.
Willys R. Peck to be consul at Tsingtau, China.

FIRST ASSISTANT COMMISSIONER OF PATENTS.

James T. Newton to be First Assistant Commissioner of Patents.

ASSISTANT COMMISSIONER OF PATENTS.

Robert F. Whitehead to be Assistant Commissioner of Patents.

UNITED STATES ATTORNEY.

Stephen C. Perry to be United States attorney for the district of Maine.

UNITED STATES MARSHAL.

Henry Behrendt to be United States marshal, eastern district of Michigan.

POSTMASTERS.

GEORGIA.

E. D. Colson, Ocilla.

ILLINOIS.

Charles C. Clymore, Vienna.
P. B. Colwell, Wyoming.
Fred A. Ehringer, Washburn.
David McFadden, Milford.
Charles S. Murphy, Warren.
William Clyde Stewart, Kirkland.

OKLAHOMA.

William I. Bowen, Halleyville.

HOUSE OF REPRESENTATIVES.

TUESDAY, May 5, 1914.

The House met at 12 o'clock noon.

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

Behold, O God our Father, these Thy children, who wait upon the touch of Thy spirit to uphold, sustain, and guide them in the legislative acts of the hour. Touch their understanding, reason, conscience, will. Encourage right acts; discourage untoward contentions, that they may serve well the people whom they represent, have the approving conscience, and thus fulfill the law and the prophets. For Thine is the kingdom, and the power, and the glory forever. Amen.

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

ENROLLED BILL SIGNED.

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

H. R. 5993. An act authorizing the city of Montrose, Colo., to purchase certain public lands for public-park purposes.

ENROLLED BILL AND JOINT RESOLUTION 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 joint resolution and bill:

H. J. Res. 242. Joint resolution authorizing the Secretary of War and the Secretary of the Navy to loan equipment, for the purpose of instruction and training, to sanitary organizations of the American National Red Cross; and

H. R. 7951. An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture.

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.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] will take the chair.

Accordingly the House resolved 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, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The Committee of the Whole House on the state of the Union will come to order for the consideration of the bill H. R. 14034, which the Clerk will report by title.

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.

Mr. PADGETT. Mr. Chairman, last Friday there was an amendment offered, after line 5, page 33, which was passed over at the request of the gentleman from Illinois [Mr. MANN]. I wish to return to it.

Mr. MANN. I have no objection.

Mr. PADGETT. I will ask that that be reported and voted upon.

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

The Clerk read as follows:

Amend, page 23, after line 5, by inserting as a separate paragraph the following:

"Naval station, Port Royal, S. C.: The Secretary of the Navy is hereby authorized to pay, from appropriations 'Contingent, Bureau of Yards and Docks,' for the fiscal year 1913, voucher in favor of the Vilter Manufacturing Co., for \$4,937 for an ice-making and refrigerating plant for the naval disciplinary barracks, Port Royal, S. C., furnished by said company under contract dated April 23, 1913, with the Secretary of the Navy; and the accounting officers of the Treasury are hereby authorized and directed to allow in the accounts of Passed Assistant Paymaster D. W. Rose credit for payments amounting to \$1,184 made by him to said company under contract dated November 5, 1913, from appropriations 'Contingent, Bureau of Yards and Docks,' for the fiscal year 1914, on account of said ice-making and refrigerating plant."

Mr. MADDEN. Mr. Chairman, I make a point of order against that. It is a claim, and it ought to go to the Committee on Claims.

The CHAIRMAN. A point of order is raised against the amendment.

Mr. PADGETT. I hope the gentleman from Illinois will reserve his point of order and let me explain it.

Mr. MADDEN. I will reserve it; yes.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] reserves the point of order.

Mr. PADGETT. I will say, Mr. Chairman, that this is out of the current appropriation, and the Secretary made the contract for this refrigerating plant at this place, and they have gone ahead with it. When the vouchers went in the Comptroller of the Treasury ruled that they could not be paid out of the fund, and this is to authorize the payment. We do not ask for any additional appropriation. It is simply to pass the vouchers. It does not carry any appropriation.

Mr. MADDEN. The Secretary of the Navy had not any right to make the contract until he had an appropriation, had he?

Mr. PADGETT. He had an appropriation and thought he had authority to make the contract out of the appropriation he had. It was a mistake as to whether or not he could make it out of the contingent appropriation.

Mr. MADDEN. Was it something that we had to have there?

Mr. PADGETT. Yes; an ice plant and refrigerating plant to take care of the enlisted men. This is not for an additional appropriation.

Mr. MADDEN. I have no disposition to embarrass the situation.

Mr. PADGETT. They want an authorization to make the payment under the contract which has already been let.

Mr. MADDEN. The only reason I rose at all, Mr. Chairman, is the fact that I believed the Secretary of the Navy had not any power to make the contract and that he exceeded his authority, and this would probably be a claim against the Government of the United States and ought to be sent to the Committee on Claims for consideration and allowance. But if the situation is such as to make it obvious that this ought to be done I am not going to object and do not make the point of order, Mr. Chairman.

The CHAIRMAN. Without objection, the point of order will be withdrawn.

There was no objection.

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent to return to page 28, beginning with line 13, for the purpose of offering the provision that was contained in the original bill as reported with reference to the increase of the chaplains.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. I object.

The CHAIRMAN. Objection is made by the gentleman from Wisconsin [Mr. STAFFORD]. The Clerk will read.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent to return to page 38 for the purpose of offering an amendment, as a new paragraph, at the bottom of the page.

The CHAIRMAN. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Chairman, let us know what it is.

Mr. PADGETT. Yes; I will state what it is and have it read for information.

The CHAIRMAN. Without objection, it will be read for information.

The Clerk read as follows:

At the bottom of page 38, as a separate paragraph, add the following: "Toward the purchase and preparation of necessary sites, the purchase and erection of towers and buildings, and the purchase and installation of machinery and apparatus of high-power radio stations, to cost not to exceed \$1,000,000, to be located as follows: One in the Isthmian Canal Zone, one on the California coast, one in the Hawaiian Islands, one in American Samoa, one on the Island of Guam, and one in the Philippine Islands, \$400,000, to be available until expended."

The CHAIRMAN. Is there objection?

Mr. MANN. Reserving the right to object, I suppose the gentleman intends that it shall come in after line 24, page 38?

Mr. PADGETT. No. This is not the end of the bureau. The bureau continues on page 39 and following. This is in engineering, and a working appropriation. This would not be a part of that total. On page 39 the Steam Engineering Bureau continues.

Mr. MANN. The appropriation that is in the bill provides for the purchase of sites for radio stations.

Mr. PADGETT. That is shore stations here. That is not a part of the authorization made in 1912. There was an authorization in 1912, at a cost not to exceed \$1,000,000, and carrying an appropriation of \$400,000 for the establishment of the six radio stations named, beginning at the Isthmus, and one on the California coast, and then Hawaii, Samoa, Guam, and the Philippine Islands, and \$400,000 was appropriated.

There was no appropriation in 1913. The department thought that the progress of the work would be such that they would not need it this year; but it has progressed more rapidly than they expected, and they sent in a supplemental estimate. I intended to offer it when we reached this, but overlooked it.

Mr. MANN. Are these stations all under construction now?

Mr. PADGETT. All, I believe, except the one in Guam. They think that perhaps with the development which is going on in radiography they can reach from Samoa to the Philippine Islands without the one at Guam.

Mr. MANN. How many of these stations are there?

Mr. PADGETT. Six.

Mr. MANN. They are to cost \$1,000,000 altogether?

Mr. PADGETT. That is what is estimated. That is the authorization, and \$400,000 has been appropriated heretofore.

Mr. MANN. Will they be able to complete the work with the \$1,000,000?

Mr. PADGETT. They thought so.

Mr. MANN. Do they still think so.

Mr. PADGETT. That is what I understand from them; yes.

Mr. MADDEN. I make the point of order against that part of the paragraph which—

The CHAIRMAN. The Chair will state to the gentleman from Illinois that consent to return to the paragraph has not yet been given. Is there objection?

Mr. MADDEN. I reserve the right to object.

Mr. FOSTER. It seems to me there was a provision in the naval bill of two years ago—

Mr. PADGETT. In the bill of 1912.

Mr. FOSTER. In the bill of 1912 there was an authorization for this.

Mr. PADGETT. That is correct, and the limit was fixed at \$1,000,000.

Mr. FOSTER. This is to provide the appropriation under that authorization?

Mr. PADGETT. Yes.

Mr. MURDOCK. How many wireless stations have we?

Mr. PADGETT. These stations belt the world. You may call them international stations. They reach from here to the Philippine Islands, and in connection with the telegraphic and cable facilities from there we will be able to communicate clear around the world. We have other stations at our different navy yards, but they are local.

Mr. MURDOCK. What is the station across the Potomac?

Mr. PADGETT. That is one of the international stations. That is a high-powered station. That is now in communication with the Eiffel Tower, in Paris.

Mr. MURDOCK. Does the gentleman know what that station costs?

Mr. PADGETT. I do not. That was not built under this authorization.

Mr. MURDOCK. What distinction does the gentleman make between high-power stations and others?

Mr. PADGETT. The high-power stations reach much farther in their communications. For instance, this high-power station over here at Arlington is in communication almost every night with the Eiffel Tower, in Paris, France. The low-powered stations reach out five or six hundred miles along the coast.

Mr. MURDOCK. Are these six proposed stations low-powered stations?

Mr. PADGETT. They are high-power stations. They have already been authorized, and they are in course of construction now, and this is just one of the appropriations to carry out that authorization. They were authorized in 1912, to cost not to exceed \$1,000,000.

Mr. MURDOCK. Are we the only nation in the world which is putting this series of stations around the world?

Mr. PADGETT. I am not prepared to answer that. I do not know.

Mr. MURDOCK. Are those stations when constructed supposed to be absolutely for our use?

Mr. PADGETT. Yes; and under our control absolutely.

Mr. MURDOCK. The gentleman said this was a world series.

Mr. PADGETT. I mean in their scope of operations.

Mr. MURDOCK. Can we reach around the world with them after they are constructed?

Mr. PADGETT. I so understand; yes.

Mr. MURDOCK. I do not see how, if we merely go to the Philippines. What about the rest of the circuit of the world beyond that?

Mr. PADGETT. Guam and San Francisco and the Samoan Islands and the Philippine Islands would put us in communication with the continent of Asia. Here in Washington we are in communication with the Eiffel Tower in Paris, and there is

telegraphic and cable service from Paris to the east coast of Asia.

Mr. MURDOCK. But we would not be using our own apparatus wholly in going around the world.

Mr. PADGETT. With all these others. The Eiffel Tower would not be ours, but when we get to Samoa and the Philippine Islands we have taken the scope of the Pacific Ocean, and when we go across to Europe we have taken the scope of the Atlantic Ocean and could reach our shores.

Mr. MURDOCK. Does the gentleman know whether this station across the Potomac here is in actual use?

Mr. PADGETT. Oh, yes; it is in daily use.

Mr. MADDEN. Sure, it is.

Mr. PADGETT. They are using it now in correcting the longitude of the ocean and this country with reference to Europe, and they are in nightly communication with the Eiffel Tower in France.

Mr. MURDOCK. And it is in daily use?

Mr. PADGETT. Yes.

Mr. MURDOCK. I wish the gentleman could inform the House how much that station cost.

Mr. PADGETT. I will get it; but that was not built within this appropriation.

The CHAIRMAN. Is there objection to the request made by the gentleman to return to the paragraph indicated?

There was no objection.

The CHAIRMAN. The clerk will report the amendment.

The Clerk read as follows:

At the bottom of page 38 add as a separate paragraph the following—

Mr. PADGETT. Mr. Chairman, as it has just been read I ask that the further reading be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I reserve a point of order against that part of the paragraph which makes \$400,000 immediately available.

Mr. PADGETT. No; it is not made immediately available, but it says, "to be available until expended." This is a public work, and it is necessary to make it available until expended.

Mr. MADDEN. Not to be immediately available?

Mr. PADGETT. No.

Mr. MADDEN. I should like to have the amendment read for information, Mr. Chairman.

The CHAIRMAN. The clerk will report the amendment.

The amendment was again read.

The CHAIRMAN. Without objection, the point of order is withdrawn.

There was no objection.

The amendment was agreed to.

The Clerk read as follows:

INCREASE OF THE NAVY.

That for the purpose of further increasing the Naval Establishment of the United States, the President is hereby authorized to have constructed two first-class battleships carrying as heavy armor and as powerful armament as any vessel of their class, to have the highest practicable speed and greatest desirable radius of action, and to cost, exclusive of armor and armament, not to exceed \$7,800,000 each.

Mr. PADGETT. We have reached in the regular consideration of the bill the increase of the Navy, on page 53, and the first paragraph relates to the construction of battleships. I wish to submit a request for unanimous consent that there may be two hours' debate upon that paragraph and amendments which may be offered thereto, one hour of that to be controlled by the gentleman from Missouri [Mr. HENSLEY] and one hour by myself.

The CHAIRMAN. Is there objection?

Mr. CALDER. Reserving the right to object, will the gentleman include in that request any amendment that may be offered to this paragraph relating to building one of these ships in the navy yard?

Mr. PADGETT. No; that will be excluded.

Mr. CALDER. Will the gentleman see that I have five minutes out of that hour?

Mr. PADGETT. Yes.

Mr. WITHERSPOON. Reserving the right to object, I want to ask the gentleman if he will not agree to give our side 1 hour and 15 minutes. An hour has been allotted out to members of the committee, and the gentleman from Illinois [Mr. BURCHANAN] wants 10 minutes. I should like 5 minutes myself.

Mr. PADGETT. Mr. Chairman, I will agree to 1 hour and 10 minutes on a side.

The CHAIRMAN. Is there objection?

Mr. FOWLER. Mr. Chairman, reserving the right to object, I desire to ask the chairman of the committee if his request is broad enough to include all amendments to the paragraph?

Mr. PADGETT. It includes all amendments to the paragraph relating to battleships except the question of the construction of one in the navy yard.

Mr. FOWLER. I desire to offer an amendment to this paragraph as a limitation on the expenditure for the purpose of securing an investigation as to the price and quality of the armor and armament and other materials furnished the Government. I would like to know from the gentleman how much time can be devoted to this amendment.

Mr. PADGETT. This paragraph is exclusive of armor and armament. The gentleman could offer his amendment to a subsequent paragraph. This authorizes the construction of battleships, but expressly states that it is exclusive of armor and armament.

Mr. FOWLER. What provision in the bill provides for armor and armament?

Mr. PADGETT. On page 55 there is a provision relating to the purchase of armor and armament.

Mr. FOWLER. How much is appropriated in that provision?

Mr. PADGETT. Fourteen million eight hundred and seventy-seven thousand five hundred dollars.

The CHAIRMAN. Is there objection?

Mr. GOLDFOGLE. Reserving the right to object I want to ask the chairman of the committee whether his limit of debate contemplates taking in the discussion upon the propositions which will undoubtedly be offered to require the building of one battleship at a Government yard.

Mr. PADGETT. I just stated to the gentleman's colleague that it would not; that there would be an additional discussion on that amendment when it comes up.

The CHAIRMAN. The request of the gentleman from Tennessee is for unanimous consent that debate on this paragraph shall be limited to 2 hours and 20 minutes—1 hour and 10 minutes on each side; 1 hour and 10 minutes to be controlled by the gentleman from Missouri [Mr. HENSLEY] and 1 hour and 10 minutes by himself.

Mr. MANN. With leave to offer amendments.

Mr. PADGETT. With the right to anybody to offer amendment during that time, to be voted on after the conclusion of the debate.

Mr. MANN. The debate is not to cut off amendments?

Mr. PADGETT. No; they can offer amendments, and they will be debatable during the two hours and then voted upon after the debate is closed.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. General debate is limited to 2 hours and 20 minutes, one half to be controlled by the gentleman from Missouri [Mr. HENSLEY] and the other half by the gentleman from Tennessee [Mr. PADGETT]. The Clerk will read the paragraph.

The Clerk read as follows:

INCREASE OF THE NAVY.

That for the purpose of further increasing the Naval Establishment of the United States, the President is hereby authorized to have constructed two first-class battleships carrying as heavy armor and as powerful armament as any vessel of their class, to have the highest practicable speed and greatest desirable radius of action, and to cost, exclusive of armor and armament, not to exceed \$7,800,000 each.

Mr. WITHERSPOON rose.

Mr. MAHER. Mr. Chairman, I desire to offer an amendment to the paragraph.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. HENSLEY. Mr. Chairman, I raise the point of order that the gentleman from Mississippi, a member of the committee, was on his feet.

The CHAIRMAN. The Chair did not see the gentleman from Mississippi, and the gentleman, being a member of the committee, is recognized. The Chair will recognize the gentleman from New York later.

Mr. WITHERSPOON. Mr. Chairman, I offer an amendment to strike out the paragraph.

The Clerk read as follows:

Amend, on page 53, by striking out the paragraph, lines 6 to 12, inclusive.

The CHAIRMAN. The Chair takes it for granted that these amendments will be presented and voted upon after the general debate.

Mr. BARTLETT. Mr. Chairman, a motion to strike out the paragraph can not be considered until the paragraph itself has been perfected, if there are any efforts to do that.

The CHAIRMAN. The Chair was just saying that he took it for granted that the amendments would be offered for in-

formation and considered pending, but not to be acted upon until after the expiration of the general debate.

Mr. MAHER. Mr. Chairman, now I offer my amendment.

Mr. MANN. I suggest to the gentleman from Tennessee that he ask unanimous consent that the amendments may be offered and considered pending.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that all amendments may be offered now and to be pending.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from New York [Mr. MAHER].

The Clerk read as follows:

Page 53, line 12, after the word "each," insert the following: "At least one of the said battleships hereby authorized shall be built and constructed at a Government yard."

Mr. STAFFORD. Mr. Chairman, do I understand that the amendments are being read for information?

The CHAIRMAN. They are read for information and pending.

Mr. MANN. I reserve a point of order on the amendment offered by the gentleman from New York.

Mr. BUCHANAN of Illinois. Mr. Chairman, I have an amendment that I would like to have read and pending.

The Clerk read as follows:

Page 53, line 8, after the word "construct" strike out the word "two" and insert "one."

Mr. MOORE. Mr. Chairman, may I inquire before the gentleman from Tennessee begins his speech, whether there will be an opportunity for argument on the amendment offered by the gentleman from New York [Mr. MAHER] at the end of the 2 hours and 20 minutes' debate?

Mr. PADGETT. It was stated that there would be argument on that proposition after this was disposed of.

Mr. CALDER. After the two-battleship proposition is disposed of.

Mr. PADGETT. Mr. Chairman, I will yield 10 minutes to the gentleman from Georgia [Mr. TRIBBLE], a member of the committee.

Mr. TRIBBLE. Mr. Chairman, on May 24, 1912, I stated on the floor of this House:

I stand for a fighting Navy and an efficient Navy and a sea Navy, and not a land Navy. This bill carries too much money and nothing to show for it.

On February 24, 1913, I said again:

I believe in the policy of battleship construction sufficient for our country's defense. I believe we should keep abreast of the times and keep our Navy up to date. Put the old battleships in reserve and build new, up-to-date battleships.

I then undertook to show that the bill then before the House carried \$15,000,000 more than it should. The bill now before the House shows my position then correct, as the bill with one battleship is \$15,000,000 less.

The bill of 1912 provided for one battleship and six destroyers. The bill for 1913 carried an appropriation of \$140,000,000. The present bill before this House carries an appropriation of \$139,000,000. The bill for 1913 carried one battleship. This bill, which is less, provides for two battleships, thus enabling us to build two battleships with less money and providing amply for all expenses.

I stated in 1913 that the bill carried too much money and nothing to show for it, and that I approved of battleship construction. This bill carrying two battleships and less than the bill of 1913 I am going to support. [Applause.]

I have frequently advocated on the floor of this House a good Navy. I am one of the peace advocates, Mr. Chairman, and I stood here on the floor of this House and cast my vote to go into Mexico with tears in my eyes. I did not want to send our boys there, and I know that the President of the United States did not want to send our boys there, and I know that the Secretary of State did not want to send our boys there. President Wilson and Secretary Bryan have been the champions of peace in this country for 25 years, and yet these great apostles of peace have shed American blood on a foreign soil. The situation there is such that they could not help it.

I am here to say to you, Mr. Chairman and gentlemen of this House, that we are likely to become embroiled in war any time, and war comes at a time when we least expect it. My State has no navy yard; I have no personal interest to serve locally for my State by advocating an adequate Navy. My action is prompted by a patriotic desire to furnish protection in case of war to every American citizen, looking to the interest and the welfare of our common country. I also hope to avoid war in being prepared to defend the flag that floats over American citizens in all our possessions. I say to you, gentlemen, that the

State of Georgia is patriotic, and I believe the citizens of my district desire me to vote for two battleships. Mr. Chairman, I say to you that the State of Georgia is patriotic, and I am prepared to prove that by the facts. When the Spanish-American War broke out the youths of my district and the youths of the State of Georgia enlisted, and volunteered side by side with the middle-aged and old, and went to the front. When that noble band was drafted out the records will show that Georgia stands second in the number of soldiers who went to the front in the defense of our country on foreign soil in Cuba. [Applause.] First of all came the State of Tennessee, and by the side of her stood Georgia, and I am proud of that record. Mr. Chairman, we can not avoid wars. The God of Heaven approves peace; it is noble, religious, and patriotic to work, talk, and strive for peace; but nations are composed of human beings, and we have not yet reached that high state of civilization when men have ceased to fight. Future generations will look back upon the Civil War period and wonder why it was that this war could not be avoided. We look back upon the records of that war and we are absolutely appalled. Twenty-eight thousand men on the Federal side fell at the Battle of Chancellorsville. I am not informed as to the number who fell on the Confederate side, but it was great—probably 20,000. You will be surprised to know that 559,328 men lost their lives in the Civil War on the Federal side—a half million of men. The number of Confederates is indefinite, but sufficient to say the loss was great. If we can avoid the horrible consequences of war by being prepared with an adequate Navy, I feel that my responsibility on the Naval Committee authorizes me to aid in giving the people such increase as the facts authorize. We do know the era of perpetual peace has not arrived, and therefore we must prepare for war. I have seen on this floor men who vote against an increase of the Navy stand here and call upon Members of this House to go to war with foreign countries. You have seen it, too.

I do not criticize them, Mr. Chairman, but peace advocates frequently bring on a war. It is not always the fighting men and the adequate-Navy men who are in favor of war and bring on war. We have our complications on the Pacific coast with oriental people. We have to deal with a race problem there, and I have seen men upon the floor of this House assert that this Government should drive out the Japanese and establish white supremacy. Now, Mr. Chairman, that is not so easy to do. When you begin to check the invasion of the Japanese peril you will need battleships and not speech making, and sometimes that kind of talk brings on war. Mr. Chairman, it takes three years to build a battleship. Suppose we stop building battleships; suppose we had stopped building battleships three or four years ago. Either one of several foreign nations could have driven us from the sea in short order in case such nation had questioned the Monroe doctrine when President Wilson sent the fleet to Mexico. Navies can not be bought from foreign countries when hostilities begin. Germany smarts under our application of the Monroe doctrine, because her citizens do the greater part of commercial business with Mexico, and Central and South America. The Germany Navy is superior to the American Navy, and, unless we keep building, Japan and France will both be superior to the American Navy in a very short while.

Where would we stand if we had quit building battleships six years ago? The policy up to two years ago has been to build two or three battleships each year. The last two years we have been building only one battleship. Gentlemen say that we have sufficient battleships now to meet any nation upon the seas except the British Empire. Suppose that is true; suppose we quit building battleships and we should become embroiled with foreign trouble three, four, or five years from now, how would our battleships compare with battleships of foreign countries who are continuing to build? It is absolutely preposterous to stand on the floor of this House and say that the battleships of 1898 can combat the battleships that are being built in 1914. Why, it is child's play. The *Oregon* was great and good in its day; it was a monster; it was the greatest vessel then built. The Navy of 1898 was adequate and sent the enemy to the bottom of the sea. The *Oregon*, then new, was the star performer; but, Mr. Chairman and gentlemen, the battleship *Oregon* would now be as impotent as an infant in the hands of a grown man placed at the mercy of a battleship of modern construction. [Applause.]

Mr. Chairman, in case of war a weak Navy would be wiped from the sea, the Panama Canal would be captured, the Philippine Islands would fall into the hands of the enemy, and our country be subject to invasion. How could we retake our possessions? We could not buy a navy. Our wealth would not help us to buy. So we would be forced to a humiliating settlement

or wait several years to build a Navy sufficient to drive away the foreign foe.

Mr. Chairman, as long as we have foreign possessions, maintain the Monroe doctrine, and continue to be a world power in commerce and trade, it seems to me we are forced to support an adequate Navy. Therefore, as we have only built two battleships in two years, I shall vote for two this year. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. TRIBBLE. I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the Record. Is there objection. [After a pause.] The Chair hears none.

Mr. HENSLEY. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. GRAY].

Mr. GRAY. Mr. Chairman, a few days ago, when I made the statement in this House that the completion of the Panama Canal would double the power and efficiency of the Navy, I was taken by surprise on having that statement refuted and the claim made that instead of the completion of the Panama Canal increasing our power it would in fact "increase our weakness." The Panama Canal was built under the authority of the War Department, and the military and naval experts supported that department on the grounds that it would be increasing our military and naval power. The War Department acted upon that assurance, the Congress acted upon that assurance, all public officials at that time acted upon that assurance, the President of the United States acted upon that assurance. Mr. Taft was Secretary of War a part of the time during the construction of the canal; he was President part of the time; and I want to quote him as one of the authorities, both as Secretary of War and as President, upon which I made my statement. In 1908, when Mr. Taft was Secretary of War, the head of the department under which the canal was constructed, and, I assume, speaking advisedly, he said, on July 28, 1908, in an address at Cincinnati, Ohio:

It has created such an organization that in six years certainly, and probably in less, the Atlantic and Pacific will be united, to the everlasting benefit of the world's commerce, and the effectiveness of our Navy will be doubled.

Later, when President of the United States, and, speaking as President upon proper and official assurance gained while acting in the authority of two high offices, on October 5, 1909, in an address at Fairmount banquet, San Francisco, Cal., he said:

But I want to call attention to the fact that if in two or three or five years we have a Panama Canal it in itself will double the efficiency of our Navy.

I think, Mr. Chairman, I was warranted in my statement that I made at that time. But I find there is a difference between then and now. Then the Panama Canal was to double our naval power and efficiency. Now it will "double our weakness." Then the Panama Canal was to be a great military asset, and now it is a great naval liability. Then the Panama Canal was to dispense with any further increase in the Navy. Now it is made the sole grounds for an imperative naval increase. There is a difference between then and now. The Navy was used at that time to promote the canal, and now the canal is used to further promote the increase of the Navy.

But, Mr. Chairman, this is certainly a day of revelations and surprises. Yesterday peace was only a dream and international agreement only a phantom. We are not only assured of possibilities of peace to-day by the advocates of a big Navy, but we are assured of the success of international agreement. They tell us the Panama Canal is in great danger from Great Britain, but the honorable Secretary of the Navy has told us, at page 627 of the committee hearings, that England could only send half of her Navy here; that she must keep the rest of it in the North Sea. But our friend from Alabama [Mr. Hobson] goes still further and assures us that England would not fight us at all, or, using his exact language, "I do not contemplate our ever having a war with England." So we have a new assurance of peace, and certainly we will not have to increase our Navy to protect the canal from England. The Secretary of the Navy, speaking further, has told us that Germany could only send half of her Navy against the United States, as a part must be kept near her shores. But the gentleman from Alabama [Mr. Hobson] says that Germany would secure an understanding with other nations not to fight her while she fought the United States, and then she would bring all her Navy here to destroy the canal. I would not advise any of our friends to hold their breath until Germany secured an agreement with powers friendly to the United States not to fight her while she destroyed our canal. If this is all these men have to offer, we are safe from England and Germany.

But, Mr. Chairman, there is still one more nation waiting to destroy the canal and against which a further increase of our Navy is urged, and that is Japan. The United States has 39 battleships. Japan has 19 and is 10,000 miles away. We have had no advice that Japan could be successful in securing by international agreement with Russia and China an understanding not to attack her while she was destroying our canal, and therefore we must assume that Japan could not withdraw more than one-half of her navy, or 10 battleships, for use in American waters. Now, Japan, if bent on destroying our canal, would come with her 10 ships 10,000 miles from her base of supplies and engage all our 39 ships at the canal, all our fortifications and coast defenses, against all our mines planted about the mouth and entrance to the canal, and against all our torpedo boats, and, plowing through and over and past them all, would enter and destroy the canal. This would indeed be serious if our friends were in earnest, but we must be charitable and treat it as a jest. [Applause.]

Mr. PADGETT. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I have always stood for a large Navy, and my stand upon the question has been based on my belief in the needs of the country. But I have always had considerable sympathy with those Members of the House who from year to year have attacked our method of building our battleships and have protested particularly against the compulsion put upon Congress in the matter of monopoly's price for armor plate. In this connection, I want to pay a word of tribute to the present Secretary of the Navy, Mr. Daniels. He first attracted my attention to his personality and gained my esteem by a show of regard for the rights of enlisted men in the Navy. He further appealed to me, latterly, when he eliminated with a fine sense of equality the officers' wine mess. And, in my observation, from the beginning of his term he has made an unusual effort toward economy. During the hearings before the Naval Committee—I think it was in January—the present Secretary gave some rather remarkable testimony, and if I can get it in in my time I am going to read it into the Record, because it has not been done before. Mr. Daniels, in answering a question, said:

In nearly everything we buy for the Navy—that is, the big items—the price has been fixed by monopoly.

And further along he said:

I was in office but a short time when I was troubled because of the fact that we had no competition whenever we came to buy the very costly things needed in the Navy. The last Congress authorized the building of battleship No. 39, and when we advertised for bids the three companies that make armor plate made an identical bid. I requested the representatives of the companies to come to Washington, and told them that the law required them to make affidavit that they were not in any combination or in any agreement to keep up the price, and I asked them if they were advertent of that law. They said they were, and that they had not had any conference before making their identical bids. I told them that I was "from Missouri," and that when three companies, on contracts amounting to very large sums, made identical bids to a cent, that the burden of proof, to my mind, was on them to show that they had not either talked about it or that it was not a case of telepathy.

I canceled all the bids and refused to award any contract, and told them that we must have competition. Well, the matter went on. We found that going into this battleship there were certain things—like bolts, turbine rotor drums, steel plates, angle irons, and some iron and steel materials—which were made by smaller companies that could not make armor plate. So we advertised, divided the material that was to go into the battleship, and in that way we secured competition on everything except armor plate. By reason of that competition we bought the specially treated steel for battleship No. 39 for \$378,261 less than we had paid for the specially treated steel for battleship No. 34.

While the department saved on this lesser material, however, the three companies which make armor plate held the Government up on armor plate. Afterwards the representatives of the three companies were called before the Secretary of the Navy, and finally one of them was awarded the contract on armor plate, but with the understanding that the company securing the contract could sublet the work. And the work was sublet to the two other companies. So the combination remained. So this great Government was held by the throat by this monopoly.

Now, here is a question that I would like to ask in all seriousness: The Secretary of the Navy sits at the same counsel table with the Attorney General of the United States. Here is a straight-out violation of the law; here is a combination in restraint of trade; here is a monopoly; here is a witness of high integrity, of entire credibility, who testifies that this is a monopoly; here is a great Government which is the victim of that monopoly; what is the matter with the Attorney General of the United States? [Applause.] Why does he sit silent and permit this Government to suffer this wrong? Why does he not get busy? I ask the question in a humble spirit of inquiry. I will get no answer from any source. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENSLEY. Mr. Chairman, I yield 25 minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Chairman, in the position I assume now I am following the teaching of the great Democratic leaders we have followed for the last five or six years. In opposition to the two-battleship program I am following the leadership of CHAMP CLARK, JOHN SHARP WILLIAMS, and OSCAR UNDERWOOD, and, until recently, of the chairman of the Naval Affairs Committee, Mr. PADGETT.

But I desire to submit the reasons conclusive to my mind for my earnest opposition to the naval bill reported by the Naval Affairs Committee authorizing two more dreadnaughts.

First. These two warships begin a Democratic program which means for new battleships an initial increase in expenditure of about \$34,000,000 for their construction, and the same amount for each of the remaining three years of this administration, making in all \$136,000,000 for new dreadnaught construction alone, and when built each of these new ships will cost for maintenance \$1,000,000 per annum, making altogether a maintenance increase of \$8,000,000 per annum.

Should the present administration be so fortunate as to be continued in office eight years, and continue this two-dreadnaughts-per-year program, we would build in the eight years 16 new dreadnaughts. The cost of these big ships is mounting, and the cost of maintenance is mounting. With such a program we are heading toward two billions on the Navy in eight years.

Second. All parties agree that our present Navy is top heavy—that is, largely useless for want of colliers, submarines, torpedo boats, and other auxiliary craft, for which this bill properly carries many millions of dollars, and future bills must carry many more if our ships now built and building or hereafter authorized are to be available.

Third. It is undisputed that we now have more ships in our Navy than we can furnish with officers or men. I think we should at least let our battleship program halt till we catch up with it.

Fourth. There is a strongly controverted, all-important question, to wit, whether the future long-range naval gun will use the armor-piercing or the explosive shell. If the former, then the heaviest armor to resist the piercing shell is the greatest desideration. If the latter—that is, the explosive shell—shall prove effective at the longer range, then heavy armor is useless, perhaps even detrimental, since it would only retard the speed of the vessel and cause it to sink more quickly when its bottom or side was blown in from explosion against its side or under the water within 40 or 60 feet of it.

The experts are about evenly divided on the question, but the evidence, from experiments, seems to me to be with the explosive shells. Nobody, I think, really knows which side of this controversy is right; but it is sure that in future naval battles many dreadnaughts will be sunk by explosive shells, and it is probable that before the vessels we now authorize are afloat they will be more dangerous to their own crew than to an enemy, having the latest and longest range guns and explosive shells. In 10 years speed and lightness may be worth more than size and heavy armor, and these big ships only be fit for scrap.

Fifth. The explosive shell is not the only enemy of the big ship. Submarines and torpedo boats are coming more and more to the front, and if they only reasonably meet the belief and expectations of the ablest naval experts the big ship is doomed. Upon the fatal effectiveness of the submarine experts agree. England and Germany are spending more and more for the submarine. England is in the main building smaller ships and Germany is striving more for speed and lightness than for impenetrable armor. She seems to be turning to high-speed, thinly armored battle cruisers with long-range guns. The scientist and expert may go into the details and technicalities of the question. I have given its sum up in plain terms. But I will call attention to some extracts.

[From the Army and Navy Register, Washington, D. C., April 11, 1914.]

THE PASSING OF THE DREADNAUGHT.

[From London Truth.]

"The displacements of the latest British battleships," said Mr. Churchill in reply to a question put to him last week, "are considerably smaller than those of almost all the latest battleships constructing for foreign powers whose dimensions are published." This is true even of British ships already completed. It is still more of the very last ships ordered.

When the British admiralty suddenly halts, faces about, and starts retracing its steps, it is evident that something big is happening or is expected to happen.

The truth is that the development of submarine and aerial navigation and of wireless telegraphy, the enormous increase in the effective range of the torpedo, and the final victory of the gun over armor (which is

now a pretty generally accepted fact) have impressed all who look ahead with the conviction that we are on the eve of a complete revolution in naval warfare, in which the battleship is not unlikely to disappear altogether. It is becoming more and more difficult to believe that the issue of naval war will be determined in future by engagements between heavily armed ships on the surface of the sea. But I believe it to be the accepted doctrine in the best-informed naval circles that, as things are at present, no battleship dare venture into waters in which submarines are known to be lurking.

Against these craft a battleship is absolutely defenseless, unless when she is lying at anchor with torpedo nets out, and at the present moment no one can see how she ever is to be defended.

In the face of all this it is not necessary to inquire very closely what happened at last year's naval maneuvers. We see that, immediately on top of this, the Admiralty have decided to reduce the size of their next batch of battleships and to build more powerful submarines, with a greater speed and an increased radius of action. We can draw our own conclusions. It is not merely that a new type of battleship is once more going to supersede the old, but that a new element is coming into naval warfare which threatens to supersede the battleship herself.

The same deadly weapon which would make it impracticable for a foreign power to dispatch an army to this country may make it a very risky business for us to send an army out of it; but even that may not be an unmixed evil. The next thing we can see for certain is the wisdom of spending any more money than we can possibly help upon battle fleets until we are better assured than we are at present that it will ever be possible for such craft to strike a blow against an enemy well provided with submarines.

What a satire is all this upon the heated controversies and agitations that have raged round the problem of national defense during the last few years, upon all the squandering of money that they have led to, all the international rivalries and animosities! While the naval alarmists are still thinking in terms of dreadnaughts and drawing up their calculations of dreadnaughts afloat and unborn generations of dreadnaughts to come the brief day of the dreadnaught has begun to wane before our eyes. While military agitators are demonstrating on platforms and in the press our powerlessness to deal with the foreign foe when he lands our seamen have forged new weapons undreamed of by Drake or Nelson, which are already making the transport of a foreign army to the British coast an enterprise that no soldier in his senses would think of.

[From the Times, London, March 18, 1914.]

SUBMARINE PROGRAM.

(Extract from statement of Winston Churchill on the Navy estimates made in the House of Commons Mar. 17, 1914.)

The submarine program of the year is large enough, in view of our effective lead in this type of vessel, but further effort will be required in the near future on account of what is going on elsewhere; £1,150,000 is taken for submarines, and the house very properly does not desire to know how many craft will be built for that money. That would unduly reveal the design. We are increasingly convinced of the power of the submarine and the decisive part which this weapon, aided perhaps in some respect by the seaplane, may play in the naval warfare of the future. It is sufficient at the moment to say that the whole system of naval architecture and the methods of computing naval strength are brought under review by the evergrowing power, radius, and seaworthiness of the submarine and by the increasing range and accuracy of its fatal torpedoes.

Mr. Chairman, the whole testimony before the Naval Affairs Committee, I believe, corroborates and confirms every statement and conclusion I have just quoted, and I am through with this phase of the question, except to say that of course our great dreadnaughts will be effective against feeble, defenseless countries like Mexico; and if that is what our Navy is for, God pity us.

Sixth. We have had an earnest discussion about the cost of armor plate. The Secretary of the Navy is convinced and I think the gentleman from Tennessee is convinced that the trusts, in the matter of armor plate and equipment, have been holding up the Government. In every part of the equipment except the armor plate our present Secretary has been able to break into the combination and secure some competition, resulting in the saving of about \$300,000 on two vessels; but on the armor plate there are but three firms of builders, and there is no competition. They make the Government pay all they can extort. They first asked \$464 per ton, all bids being the same, and when the Secretary rejected all their bids they came down together to \$450 per ton. The combination is world-wide. Under these conditions our Government experts and officials have been investigating the actual cost of making armor plate. The very able member of the committee, Mr. WITHERSPOON, tells us that the Government can itself make the armor at \$279 per ton, while the chairman, Mr. PADGETT, brings in his proof to show that it would cost the Government to make it from \$279 to \$400 per ton, according to the size of the Government plant and the amount made per annum. If we had a plant to make 20,000 tons a year, and made that much, he says it would cost \$279 per ton, while if we had a plant to make 10,000 tons per year, and made that much, it would cost \$314 per ton, and if we had a plant to make 5,000 tons per year, and made that much, it would cost us \$354 per ton.

Now, I am going to take the chairman's figures. Each battleship calls for about 8,000 tons of armor plate. If we must build two, that would call for 16,000 tons per year, and if we place its cost between that of the cost of the 10,000 and 20,000

ton plant, at, say, \$300 per ton, we would save on those two ships \$2,400,000. This is the best estimate our Government officials or the chairman [Mr. PADGETT], who all favor two battleships, can make. But the chairman says they are not certain about it. The Secretary of the Navy declared that he would only submit to the trust price because he felt compelled to, because we were in their power and must submit to be held up. The Secretary advised and the committee have provided in this bill for a still further investigation of this whole cost matter, and I am persuaded it will turn out like our investigation of powder cost when the Powder Trust held us up. I think it will turn out that the half has not been told. We built our powder plant and the trust powder price tumbled from 85 to 53 cents per pound, while the powder made in the Government plant costs less than 40 cents. Mr. Chairman, I do not like to be held up, and the fact that the robber—excuse the term—is patriotic does not make me like it any better. [Applause.]

Since we are now building five big ships, using the trust's armor plate, at the trust's prices, I for one wish to contract with them for no more; to build no more till we can build our own plant and make our own armor plate. By the time we can complete the five ships now authorized our plant will be ready to operate, and what we build then will not be induced by the persuasion and agitation of big corporations, whose profits prompt them to drive the world to bankruptcy in war preparations. Why, Mr. Chairman, the gentleman from Alabama [Mr. HOBSON] claims that the United States will win in this battleship fury by building until the other nations, not so rich as we, will be unable to build; that is, will be bankrupt. I want to make it so no man will be interested in making war tools and making war.

Seventh. Mr. Chairman, I have a better argument than I have made or am going to make or can make against this two-dreadnaught-battleship program. That better argument is the speech the gentleman from Tennessee [Mr. PADGETT] made in this House on March 31, 1910. I do not insert it, because it is already in the RECORD, and those who wish may read it. But I want to use Mr. PADGETT then against Mr. PADGETT now, not for the argument ad hominem but because he is now the bulwark of the two-battleship program.

Then he said:

Standing before you this afternoon and measuring my words with the facts before me—and in my judgment I can substantiate them and make them good—I say there is no necessity either from the standpoint of our domestic conditions or our international relations for the construction each year of two battleships. The construction of one battleship will not only maintain the efficiency and the adequacy of the American Navy, but it will add a proper increase to the development of the American Navy.

And he proceeded to make good with a splendid array of facts and arguments. He continued:

Now let me call your attention, if you please, to some tables. Japan and Russia have been held up before the country and before this Congress. I have taken the pains to analyze the situation with reference to them, and I have the documents here. Let us make a comparison between Japan and the United States first.

He then proceeded to make the comparison, giving the items of naval strength of each nation, and after a clear demonstration he concluded with this short sentence:

If we had our fleet divided and put one-half in the Pacific, we would have more there than Japan has.

Then he denounced the war scare as—

A nightmare to stimulate the growth of naval hysteria in this country in order to foster the propaganda that I believe is set afoot and maintained by the beneficiary interests in this country that profit out of the spending of thirty or forty million dollars a year out of the naval program of this country.

And he related this incident:

I will not call names, but one of the admirals came before our committee and asked that the doors might be closed, that the stenographers might be excluded, and that he might speak to the committee in executive session. This was some years ago, and he proceeded with bated breath to tell us of the nearness of impending disaster and conflict with Germany, and he dilated upon that question at length, and I sat and listened to it for quite a while, and after he had proceeded for some time I could not escape the temptation, and when I had the opportunity I said to him, "Admiral, do you think this will take place and they can catch us before we can get home?" [Laughter.]

Mr. WILSON of Illinois. What did he say?

Mr. PADGETT. He smiled.

Then he declared, by quoting from Mr. Fairbanks:

America is at peace with the world. There is nothing that can mar the peaceful relations of the United States to the other nations of the world except our own inconceivable folly.

Then Mr. PADGETT was not scared. Oh, that he were not scared now! Possibly our trouble with Mexico has scared him, but that trouble will be long past before the ships we authorize now can be built.

Then he made this statement:

Now I desire to invite your attention, if you please, to another phase of this question. We have at the present time 2,824 naval officers of

all grades. We have an authorized enlistment of 42,000 enlisted men. You will find in the hearings of Capt. Usher, who appeared before the committee in behalf of the Bureau of Navigation, in answer to my question, a tabulated statement showing the number of men necessary and required to man our present complement of ships on a peace basis and on a war basis. On a peace basis it requires 3,652 officers and 60,902 men, or, if you please, a shortage of 828 officers and 18,902 men. On a war basis, to fit out and man the ships we now have, it would require 3,890 officers and 72,281 men.

And further on he said:

Now I want to call your attention to this fact, that Admiral Pillsbury, Chief of the Bureau of Navigation, in his annual report in 1908, said that it takes on an average six years to train a man-of-war's man; so that it takes twice as long to train and to qualify a man to operate the ship as it does to build the battleship.

In these statements he seems to me to have demonstrated that we have not the men or officers to make available the ships we now have, and could not get them in less than five or six years; then why build more?

But he continued, quoting from the Secretary of the Navy:

We are tying up the big cruisers, and transferring the men from the cruisers to the new battleships.

And quoting from President Roosevelt:

No fighting ship of the first class should ever be laid up save for necessary repairs.

And from Mr. Roosevelt further:

To put a new and untrained crew upon the most powerful battleship and send it out to meet a formidable enemy is not only to invite, but to insure, disaster and disgrace. If the officers and men are not thoroughly skilled in and have not been thoroughly trained to their duties, it would be far better to keep the ships in port during hostilities than to send them against a formidable opponent, for the result could only be that they would be either sunk or captured.

All this seemed to me then, and still seems, good cause for suspending dreadnaught building.

Surely, our Navy is far stronger now than Japan's. If it is not stronger, it is at least very close to that of Germany; and there is no war or rumor of war with either of those nations. There is no more likelihood of war with Germany than there was when the timid admiral asked Mr. PADGETT's committee to close its doors, so he could a tale unfold. Our Navy is stronger now than it ever has been. I am no more scared now than Mr. PADGETT was in 1910.

Then the gentleman showed our superiority over Germany as clearly as he did our superiority over Japan. I can not quote his whole speech, though it is worth quoting. Is it any wonder, then, that the gentleman from Missouri [Mr. HENSLEY] here the other day exclaimed, "I beseech the gentleman to tell me why he has changed." In reply the gentleman from Tennessee said:

Let me say, gentlemen, that the chairman has not changed his purposes or his ideas. In the preparation of this bill I had before me the same general purposes, wisely and judiciously, patriotically and honestly to administer the trust committed to me, bearing in mind the environments by which we were surrounded, the circumstances in which we were placed, and the developments that have taken place, to deal with the honor, the welfare, and the protection of the country, and a wise distribution of the people's money that I had in 1910.

It was a round mouthful of words, but was it more? He also said that he had voted to increase the post-office expense and he had voted for certain other increased expenditures which seemed to me to have no relation to the Navy. "Times change," he said, "and we change with them." Most profound. But does it satisfy? Does it answer any or all of his speech of 1910? Does it show where he was mistaken or wrong in 1910? He attacks Mr. WITHERSPOON's arguments, but he does not answer his own. The nearest specific attempt he makes is the following (see CONGRESSIONAL RECORD, Apr. 25, 1914, p. 7269):

My friend, Mr. HENSLEY, read a portion of my speech that I made in 1910. Let me read it:

"The Reichstag a few years ago fixed by law a definite program authorizing the construction of 16 battleships between 1907 and 1917. Up to the present time, of those 16 she has 8 building that constitute a part of her 30, so that in 1917, if she builds the other 8, she will have 38 battleships, and if we only build 1 a year from now until 1917, added to the 33 we have got, we will have 40 first-class battleships as against her 38."

What are the facts? I said conditions change and vary. At the present time, counting her battleships and dreadnaughts because they are simply different types of the same thing, and the battle cruisers and the *Worth* and the *Brandenburg* that have been eliminated from the fighting line, she has 48 to-day. What has the United States, including, if you please, the 3 that have been eliminated and they have been complaining about? We have 39—

That brief paragraph is substantially, it seems to me, the only answer he gives to Mr. HENSLEY's request for the reasons of his conversion—the only answer he now makes to his great speech of 1910. It seems to me remarkable. If, as he stated in 1910, Germany then had 22 battleships built and 8 building and now has 48 battleships, she must have completed and built in the 4 years intervening 26 battleships, or 6½ ships per year, while her program, as he then stated, was 16 ships in 10 years. Then he told us Germany would have 38 battleships in 1917; now he tells us she has 48 battleships in 1914. Which one of these speeches is correct? When did Germany change her program?

Has Germany or even England ever averaged 6½ battleships per annum for four years in succession?

In passing let me say that against Mr. PADGETT's urgent eloquence we built two battleships in 1910 and two in 1911, so we are two ships ahead of the program he then said would keep us ahead of Germany up to 1917.

Mr. Chairman, did Germany have any such program as stated by Mr. PADGETT in 1910? If so, has she changed it, and when, and how? Was he mistaken in 1910? Is he mistaken now? But supposing the chairman's present statement that Germany now has 48 and we 39 battleships, and the inference he leaves to be drawn that she is stronger than we in proportion as she has more battleships is correct. What difference would that have made to the gentleman in 1910? At that time "he was not afraid"; "the invader was not coming in his day or his children's day."

Then "nothing could mar our peace with other nations but our own inconceivable folly." (CONGRESSIONAL RECORD, 61st Cong., p. 4064.)

Then it was "better to develop homes than build battleships." (Ib., p. 4065.)

Then our Navy was topheavy, and he was urging fewer battleships and more colliers and necessary auxiliaries to make the ships we have effective. (Ib., p. 4063.)

Then we had only about two-thirds the men and officers to man our ships, and he said it took six years to train a man-of-war's man. (Ib., p. 4065.)

Then we were, he said, tying up numbers and numbers of our fighting ships for lack of men, and transferring the men to new battleships. (Ib., p. 4065.)

Then a battleship tied up went to ruin, and to put a new and untrained crew on a big ship was to invite disaster and disgrace. (Ib., p. 4065.)

Then shortage of men and officers made piling up battleships futile. (Ib., p. 4065.)

Then our earlier and smaller ships were not negligible in fighting value, and he quoted Dewey.

Then Germany's 20 battleships were far inferior to ours. (Ib., 4066.) Is not that what Mr. WITHERSPOON says now?

Then old ships with new machinery, and so forth, were good as new. (Ib., 4066.) Is not that WITHERSPOON speaking now?

Then he was at odds with HOBSON and at one with WITHERSPOON, and had a very similar argument with Mr. HOBSON that Mr. WITHERSPOON now has with Mr. PADGETT about the relative strength of the German and the United States Navies. (Ib., 4067.)

Then he asked, "When you go back to your voter, will you tell him * * * that we set apart \$12,000,000 for construction and \$1,000,000 to operate a battleship that is not needed from any point of view or under any just consideration?" (Ib., 4069.)

Then he declared, "I appeal to your judgment and your patriotism, and I ask you. Is it not time to call a halt in this mad hysteria of naval development and apply something toward the development and improvement of our country?" (Ib. 4168.)

Then Mr. HOBSON asked him, in substance, if his people would not make a sacrifice in the legitimate defense of our country and its vital interests; and he replied, "I would be glad to say to the gentleman that for the legitimate defense of the country the patriotism of these men would prompt them to make any sacrifice, but the gentleman cunningly states his proposition. I deny that this is a legitimate defense; it is an unnecessary and wasteful extravagance of the public money." Further on he adds, "I have stated and restated that one battleship was extravagant," and "that an excessive Navy built under the stimulus of agitation, fostered and encouraged by the beneficiaries of such a policy, is a menace to the peace of the world." (Ib., 4169.)

Does the brief paragraph I have quoted from the speech of the gentleman a few days ago answer all or any of his powerful argument of March 31, 1910? I believed that speech when I heard it was unanswerable. It has not been answered. I still believe it is unanswerable. I believe it showed that the building of one great battleship yearly was extravagant, and the building of two yearly was folly and futile waste of the public money.

Would that the gentleman from Tennessee would abandon the party of naval hysteria, supported by the interests that profit by the policy, and join with us in resisting this extravagance and futile waste of the public money.

In the name of our civilization, the growth of 6,000 years of human upward struggle; in the name of the human intellect, rising above brutal ferocity; in the name of our flag, which has stood for over a hundred years for all that has been highest in earth's history; in the name of altar, home, and country; in the name of labor, which has toiled through all the countless

ages to bear the burden of all wars; in the name of womanhood, which has borne in silence and heartache and horror the sorrow and suffering and cruelty and shame of war's brutality; in the name of all war's victims, the stricken, outraged, and murdered innocents of all ages and nations; in the name of sisterhood and motherhood, of brotherhood and fatherhood; in the name of humanity; in the name of holy mercy, and of a just God who will not hold us guiltless of the shedding of blood; I protest against this bill. War for defense of our freedom, our fireside, our country—yes; with every dollar of our wealth, every drop of our blood—but this is not for defense; it is for mastery over sea and mastery over land, and our flag is turning into a symbol of power and domination, not of freedom, justice, and mercy. Its folds float over us, and it brings no visions or voices to our minds save of the fires of burning houses, the sinking of ships, the drumbeat and the smoke and din of battle, and the groans and cries of the wounded and dying, and bloodstained heroes only claim in death the honor of its sacred folds.

Let us change that. I would not have our flag always only wrapped around the form of him who lived by the sword or died by the sword. I would see it oftentimes wrapped around the cofined forms of those who went down into the raging sea in lifeboats or stood at the engine's throttle or dared the fury of flames to save life, the form of the moral hero who dared to do right when the world frowned and mocked. Yea, I would see it twined with the white pure cross of Christianity and wrapped around the form of the patient, tired mother who, after life's long, lean years of labor, of suffering, and of sacrifice, sleeps and rests at last. Amid the changing times and tides of life I would like to gaze on its stars and stripes and have them fade into scenes of heyday and joy and plenty, with mirth and music and song, the fruition of a sober and righteous nation.

I would have that flag a fit emblem for those who love home and happiness and mercy and hate iniquity and penury and whose passion is peace. [Loud applause.]

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

Mr. HARDY. I will ask leave, Mr. Chairman, to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Texas [Mr. HARDY] asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized for five minutes.

Mr. FESS. Mr. Chairman, there is no man on the floor of this House who has been more interested in the movement for peace than I have been. There is no one who has watched with greater interest the different activities identified with our own country on behalf of peace than I. I recall that in 1843 the first newspaper started in this country or any other country designedly intended to develop the spirit of peace was the American Citizen, established by Elihu Burritt, and it was through his agitation that the first international peace conference known in the history of the country or of any country was held, and our country was very prominent in it. It was in this conference that Burritt and the Tappans took an advanced position for peace.

That same movement still continues. Identified or associated with it is another movement, known as the Interparliamentary Union, in which our country has been and is now very active. Identified with the peace movement is still another movement which found its expression in the first Hague conference, where 26 nations, through their representatives, sat under the same roof in the interest of peace; and also the second Hague conference, in which 44 nations deliberated upon the question of finding a substitute for war. While I believe as much as any man in this Chamber that we ought to develop the spirit of peace, and while I know that the fruits of peace are superior to the fruits of war, yet I for one can see as our main function in the development of this public opinion in support of peace the directing of the public mind along lines of peaceful pursuits, not by ceasing to build for the preparation of a war that might come, but rather for the organization of this public opinion by associations that lead to such expressions as The Hague conference and the numerous other organizations designed to cultivate a conviction for world disarmament. Our country has had its very best expression of its conviction for peace in that latest proposition for the creation of an arbitral court of justice which was suggested by our Secretary of State and favorably considered by the second Hague conference. Before that time the far-reaching expression of peace on the part of our country

was suggested by our representative in the first Hague conference, Andrew D. White, which was made when the conference was about to adjourn without any decisive action. Through that suggestion we have The Hague tribunal of arbitration. It was given vital meaning when we induced Germany to submit the Venezuelan trouble to it. I want to state, as a believer in the movement for peace, that this country has an important function to perform. But, gentlemen, I raise this significant question: Is it our duty to stop the preparation for what may come, and is most likely to come when not prepared, at the very moment when our problems are being complicated, and when we are coming rapidly to be a world power? I mean just what I say. I will join any man on this floor to lead in the movement for disarmament; but it would be, in my judgment, suicide to disarm ourselves without disarmament on the part of Germany and of Great Britain and of Russia and of France. [Applause.]

I believe in disarmament, and as a Member of this House I will vote for a measure that looks to the disarmament of the nations, if the nations will join us; but I will not vote to disarm while all the world is voting to arm.

Our friend, the distinguished Member from Texas [Mr. HARDY], devoted nearly his entire time and argument against the distinguished chairman of this committee [Mr. PADGETT], because, as he alleged, he had changed his mind. I doubt whether the chairman has changed his mind. If he did, it was because conditions changed, which justify a change of mind. There is a different plan of armament in vogue in the world today from what it was five years ago. Germany has new plans of building, and other countries have new plans of building, and for us to watch these countries in this program for national defense and to sit quiet with little or no attention, and declare that God will take care of idiots and children and Americans is perfectly silly to me. [Applause.]

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

Mr. FESS. It seems to me that we ought to prepare for the emergency that probably will come if we are not prepared. If my friend indulges in criticism of the distinguished chairman because he spoke some time ago one way and speaks now in a different way, I will cite the gentleman to a distinguished case of a change of opinion.

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

Mr. PADGETT. Mr. Chairman, I will yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized for five minutes more.

Mr. FESS. Mr. Chairman, I was just about to say that when the President of this Nation, for whom I have great respect and whose ability I very highly regard—when he changed his views upon a question that stirred this Nation as few questions have stirred it, I did not find fault with the President for doing it, but rather commended him, not because I agreed with his opinion. That is his own business, and if he has a reason for changing he does not need to question what the American Congress would say about his change; and, if I do not mistake, my friend the Member from Texas also indorsed that change by voting with the President. When the President changed his "watchful waiting" policy we both voted with him. It is not a matter as to what was done 2 years ago or what was done 10 years ago. Our duty is to act in the present hour; it is what I shall do now. And I say to you, gentlemen, that while I believe we ought to move to the time when we can see universal peace, if possible, peace does not come by declining to prepare for war. Peace does not come because we can not fight. Peace comes when you can command it and not until that time. You will not change human nature by irresolution and inaction. The only way for us to insure the peace of the world is to concentrate the ability to command it in the peaceful nations of this earth, and you will not do it until you have accomplished that particular purpose.

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

Mr. FESS. To-day we have the largest undefended coast line of any nation on the globe. I do not mean we are totally defenseless. To-day we are becoming the most marvelous sea power in our building for the future that the world knows, provided we but embrace the opportunities that are opening.

The CHAIRMAN. Does the gentleman yield?

Mr. FESS. I think I shall have to yield to my friend, but I suggest to him not to take up all of my time.

Mr. CALLAWAY. If having a great sea power keeps us out of war, of course that will do it, as we are comparatively greater than the nations we expect to get into war with. But how does the gentleman explain our difficulty with Mexico?

Mr. FESS. I am sorry the gentleman has asked that question. I think if a little better wisdom had been used, if our State Department would have employed some vigor of diplomacy, we would not be in it. [Applause on the Republican side.] I am sorry, I say, the gentleman asked that question.

Mr. CALLAWAY. The gentleman says that if we are prepared for war we will be able to command peace. Does the gentleman think that the bullies that go around the country commanding peace get more peace than the man who goes about in a more peaceful way?

Mr. FESS. I would say to my friend that he is assuming a position that I do not think is justified. In other words, my friend would say, "If we did not have any battleships, we would never have war." Why, the day was when there were no battleships, yet war was the rule instead of the exception. I want to remind my friend from Texas that from 1688 until 1815, a period of 127 years, 54 of those years were spent in actual fighting in 12 different wars between France and England. This is the famous contest for the supremacy of the sea, in which England won at last. In those 127 years there were 54 years of actual fighting. I refer to this as but one example of contest between two highly civilized powers. Then we did not have great armaments. Wars will cease in the proportion that we are able to compel them to cease, and the time is rapidly coming when we can not afford to go into war. I do not mean we should enter the world's rivalry in armament, but we must be able to police the seas. Would the gentleman—I will not put it in that way, for I do not want him to take up my time. This Nation is a little more than 100 years old, and yet in that brief period it has become one and three-quarters times wealthier than the next wealthiest nation on the globe. I do not think this Nation, which has reached this position of development in its rank among the nations, which is now leading out into larger spheres of influence, and which has become such a world power, ought to assume that there will never be any more trouble. I do not think it the part of wisdom for us to rely upon that. Our problems are complicating in the degree that we become a commercial power. We can not grow in power and influence without increasing our national responsibility, and it seems to me that if we command the Pacific, as we certainly will, and if we embrace our influence on the Atlantic, we must build up our commerce, our merchant marine, and at the same time be able to command the respect of the powers that are jealous of us—in a word, to maintain a position of peace. Otherwise I fear we are destined for war. I know my friends will laugh at, if not ridicule, the statement I am about to make. You may call it a paradox. I am a man of peace. I believe our greatest future is in the work of peace. I have been identified with these peace movements and have advocated the various activities in church, college, and in the press. I have not been much of a propagandist, but I have been interested and active in seeing a public opinion created to disarm the nations, but I have taken this position: You can not eliminate from human nature the heroic element, and you can not avoid the consequences of that fact. [Applause.]

I have little sympathy in the profession of certain propagandists that we must cease to sing patriotic songs to emphasize the meaning of the flag, because it instills a martial spirit.

The heroic in us is innate. The best we can do is to direct it in the channels of peaceful pursuit. But in that case it does not comport with the highest wisdom to either disarm or allow our armament to decay by nonaction, while our neighbors are continuing their naval programs.

We may not keep out of war. It may be forced upon us. Too often we find a fawning pretension for peace forcing us into situations where a struggle seems necessary for the sake of our national honor. There is no surer cause of war than a policy that convinces an enemy that we want peace at any price. Peace at any price leads to inevitable war or national humiliation. I repeat, the way to insure peace in the world is to concentrate the fighting ability in the hands of the peaceful nation. I shall therefore vote to build two battleships in the belief that I am doing it in the interest of peace rather than war.

Mr. PADGETT. I yield five minutes to the gentleman from California [Mr. J. R. KNOWLAND].

Mr. J. R. KNOWLAND. Mr. Chairman, in the light of recent events it may be illuminating to quote from some of the speeches delivered by those opposed to any increase of the Navy when the naval bill was before the House a year ago.

I want to quote first from the gentleman from Texas [Mr. DIES] who on February 22, 1913, used these words:

The cry is for armies and for navies, and I say that in the light of history there is not a scintilla in the history of the nations of the earth to justify a standing Army or a great Navy in this Republic. We are

separated from the politics of Europe by a great ocean. As long as we stay upon this hemisphere—ample it is indeed to support all of the children of the generations to come—and attend to our own business unless we are rushed into a war by loud-mouthed jingoes against the peace and security and happiness of this country we shall remain at peace.

I ask the gentleman, Who are the "loud-mouthed jingoes" who precipitated the trouble to the south of us? The gentleman also said:

Mr. Chairman, I challenge the historians of this House to point to a single nation that ever existed upon the earth that was completely fitted by geography to do without an Army and Navy to maintain free institutions except the United States.

France can not do it; she has got to have an army and navy. Germany can not do it. England can not do it. Japan can not do it. But God has placed us upon this continent, separated from the world by seas and impassable barriers of nature, and if we run to military seed, as every other republic has done in the past, if some general—some Diaz or Huerta—comes on horseback and finally this Republic goes down in the night of military despotism, as every republic in every age of the world has done, we will owe it to the fantastic Don Quixotes, who tax the people to fight windmills of their own imagination.

I think we have all become convinced that a navy is of great utility on certain occasions, as very strikingly illustrated by recent events.

On February 24 the gentleman from Arkansas [Mr. GOODWIN] used these words:

Mr. Chairman, I repel as abhorrent the thought of the possibility of war or continued heavy appropriations of the people's money to prosecute great wars when none are likely to follow.

The gentleman from Virginia [Mr. SAUNDERS], always so eloquent, said on February 26 of last year:

Secure in our solitary grandeur in the western world, like a mighty eagle in its eyrie, too just to make wanton war and too great to be lightly assailed, we may well aspire to be the arbiter of nations and by the inspiration of our example bring to pass the reign of perfect peace.

The Democratic leader [Mr. UNDERWOOD], then in favor of but one battleship, used these words—

Mr. HENSLEY. Will the gentleman yield right there?

Mr. J. R. KNOWLAND. I would like to yield to the gentleman.

Mr. HENSLEY. I will say that the gentleman maintains the same position to-day.

Mr. J. R. KNOWLAND. The gentleman from Alabama [Mr. UNDERWOOD] used these words:

Our own honesty and our own moral courage protect us against attacks, and if we want to go into the battle fields of the world and attack other people unjustly we are only pirates and national highwaymen. I hope that the proposition for the building of one battleship will be the proposition adopted by this House.

On February 26, 1913, the gentleman from Indiana [Mr. CLINE] said:

The mission of this Nation is to teach the world an example "of high-minded foreign policy." Let us throw the moral force of that example into every quarter of the world and stand for freedom and popular government. We are the world's teacher of national peace and personal liberty. We do not need great navies to eat out the substance of the people nor foreign allies to enforce a despotism against alien races. I would rather have the protection of the two great oceans of the world bordering on us than either the triple and quasi alliance of the great navies of Europe to guard the peace, happiness, and liberty of the people.

The gentleman from Alabama [Mr. BURNETT], on February 26, speaking upon the same subject, said:

Of whom are we afraid, and with whom do we anticipate war? Certainly not with Japan, a bankrupt nation, who could not borrow \$100,000,000 if the life of the Empire depended on it. These cries of war have been raised by jingo politicians until we have ceased to be frightened by them. Let us talk peace and internal development a while and give the disappointed agitators for war a respite from their arduous labors.

I simply quote these remarks, uttered a little over one year ago, to impress upon this House and the country the fact that wars come unexpectedly. It is when we least expect trouble that we have always encountered it. [Applause.]

I have always favored an adequate Navy and I urge this policy as an advocate of peace. I believe that this Nation should join in all peace movements, but until there is a universal agreement it would be almost criminal for us to neglect our Navy. As a Member of Congress I do not propose to take that responsibility.

It is easy indeed in times of peace to dilate upon the remote possibility of war. When war comes the very men who oppose any increase of the Navy would be the first to criticize the Government if, through the inadequacy of our Naval Establishment, reverses were met with. We of the Pacific coast have always favored liberal appropriations for both the Army and Navy. We are cognizant of the great problems confronting us on that ocean. At the opening of the canal we desire that this Government shall have a fleet adequate to protect both coasts—a fleet large enough to divide into two units, one for each great ocean.

I shall vote for two battleships. I shall also vote that at least one of these ships be constructed at a Government yard. Since I have been a Member of this body I have fought con-

sistently in favor of the policy of constructing a part of the Government ships in navy yards. It was a difficult and uphill fight at first, but the result has demonstrated the wisdom of the policy. We now have a yard on the Atlantic—the New York Navy Yard—and on the Pacific—the Mare Island Navy Yard—equipped for shipbuilding, and these yards have made good in the building of colliers and battleships. This policy has resulted in a reduction in the cost of ships by private shipbuilding concerns, in expediting construction, and in maintaining at the yards organizations of trained mechanics, essential in times of peace as in times of war. I hope there will be an amicable adjustment of our present difficulties to the south. We must be prepared, however, at all times for every emergency. As a Member of Congress I stand ready to support the President should a foreign foe confront us. When that time comes, and it is necessary for the Chief Executive to utilize the Army and Navy, I desire that he have at his command a force adequate to meet any situation. [Applause.]

Mr. PADGETT. I yield five minute to the gentlemen from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I am for peace, but would not hesitate to wage war if the Nation's honor is at stake. I would like to see the nations of the world on a permanent peace basis, and to that end would favor a plan having in view the discontinuance of warship building. But unless all the great powers agree upon such a program this Nation must continue to keep its Navy up to a proper state of efficiency. We can not afford to discontinue our naval program while other nations push theirs forward. Our Navy, both in ships and men, should be kept up to such a standard as will command the respect of the world and insure the protection of our interests on the Atlantic and Pacific Oceans. We can not allow our great coast line to go unprotected. We must be ready to meet any emergency. To be prepared for war is the best insurance for peace. While other nations continue to increase their navies this Nation can not abandon its means of defense. We would be properly chargeable with neglect of duty if we do not use every precaution for the defense of our rights, and for that reason I favor the construction of two battleships. I hope, however, the time will soon come when all the world will cease to talk war and enter into a compact for universal peace.

While on this subject I wish to say that I regret our trouble with Mexico, and I hope and pray that there will be no actual war between the United States and our sister Republic. Such a war is too horrible to contemplate. It will mean widows and orphans throughout both lands, maimed men, death, suffering, want, sorrow, and misery for a generation, bitter hatred where friendship and good feeling should prevail. It will cost the lives of thousands of our young men and the expenditure of untold treasure; result in the devastation of vast fertile areas, bringing starvation and want and suffering to innocent men, women, and children, and sorrow into every home in both Republics.

I would like to see peace and happiness and prosperity on every inch of American soil. I would like to see a feeling of friendship among the peoples of every American Republic. I would like to see the doctrine of liberty carried into every household. I would like to see the United States blaze the way to this end.

I would of course defend the Nation's flag and protect its rights in every land, on every sea. I would give every American citizen everywhere the protection of the flag and defend him in the exercise of his rights with all the power of the Government. I would hesitate to use the power of the Government to protect investments of American citizens in foreign nations. I would encourage thrift, industry, frugality, and patriotism at home and protect every citizen in his right to the enjoyment of the accumulations of his honest efforts here, but I do not think American citizens who take the risk of foreign investments have any right to complain if the Government to which they owe allegiance refuses to place the lives of its young men in jeopardy, fighting to preserve investments in other lands about which it has not been consulted.

The greed of American citizens who make investments in other lands should not be encouraged by the Government. Such citizens should be given to understand that the blood of our best youth will not be shed to settle their quarrels with business rivals. I would make it treason, punishable as such, for any person in the United States to engage in the business of financing, encouraging, or abetting war in another nation with a view to involving the United States. I would deny domicile in this country to any person so engaged, and I favor the enactment of laws to this end.

Mr. HENSLEY. Mr. Chairman, I yield 10 minutes to my colleague on the committee, Mr. BUCHANAN of Illinois.

Mr. BUCHANAN of Illinois. Mr. Chairman, I rise to protest against the useless expenditure of the public funds by au-

thorizing two battleships. I am in favor of an efficient Navy. I am in favor of preparing for our defense, but we now have a magnificent and an efficient Navy. In making this protest, Mr. Chairman, I am fully convinced that I am expressing the sentiment of a large majority of the wageworkers of our country. The working people of this age are not being deceived by the argument that these expenditures of money are for their benefit, except, of course, in those localities where navy yards may give a few men positions where they would not otherwise have employment. But if it is good policy for the Government to appropriate money to give men work, let us appropriate it for something that can be used.

I have not the time nor disposition and am not prepared to establish what I believe is true—that which was stated by my friend the gentleman from Texas in regard to the weapons of destruction on battleships. I feel fully convinced that inside of 10 years battleships that are now being constructed will be practically useless as far as their being used in war. Not only have we submarines to destroy them, but there are air craft, and it is not impossible that we will have wireless electricity that will be able to explode the magazines of these battleships at a long distance.

Therefore I am convinced that battleships which you now authorize to be built, by the time they are constructed, will be of no use. The labor people of this country whose sentiment is expressed through organized labor, are exercising their influence throughout the world for peace. You hear little said here except about building battleships, or the weapons of war; you hear little said about the men that must man the battleships and who ought to be counseled in some way or other as to whether we are or not to have war. Anyway, the labor movement of this country and of the world is exercising its influence to prevent war.

To bear out what I have said in regard to the labor people, I want to read a letter which I received from an organization in Danville. It is as follows:

DANVILLE, ILL., February 28, 1914.

HON. FRANK BUCHANAN, M. C.,
Washington, D. C.

DEAR SIR: I notice by the papers that you voted in the negative on the two-battleship program.

Allow me to extend to you my heartiest congratulations for so doing, as that expresses the sentiments of the labor organizations in this community.

I have inclosed a copy of resolutions, which were passed by the Danville Trades and Labor Council, and unanimously indorsed by Vermillion Lodge 473, International Association of Machinists, which was in response to a circular letter sent out by Lodge 174, International Association of Machinists, Washington, D. C., requesting all local lodges to urge their respective Congressmen and Senators to support the two-battleship program.

Again thanking you for the support rendered in the interest of the working class as a whole, and assuring you that if the opportunity ever presents itself whereby we could give you any assistance we would be glad to do so, I am,

Yours, for anything that is to the interest of the working class,
W. T. RIZER,

[SEAL.] Recording Secretary Local 473, I. A. of M., Danville, Ill.

This is the resolution in response to the request:

INTERNATIONAL ASSOCIATION OF MACHINISTS,
VERMILION LODGE, No. 473,
Danville, Ill., January 23, 1914.

Whereas the legislative committee, Columbia Lodge, No. 174, of the International Association of Machinists, has appealed to the Danville Trades and Labor Council and Local 473, International Association of Machinists, for moral support wherein they ask that we favor the construction of more battleships instead of lessening battleship construction, giving as a reason to obtain said support that at a time when work is becoming slack throughout the country it is unwise to aggravate the condition by adopting a policy of naval construction that will throw thousands of workmen out of employment; and

Whereas we know that the construction of battleships are intended for war purposes, and that all the expenses of all the wars in all the world in all time have been paid with the results of productive labor, always resulting in the working class paying all the expenses of all wars; and

Whereas we realize that in war soldiers cease to produce wealth, and finally soldiers actually destroy wealth; and

Whereas we believe that war appropriations could be applied in a more beneficial way to society in general; for instance, the cost of the Civil War amounted to \$31,521,815,230.60. This sum, if applied to another way, would pay for a \$1,700 home and also for \$400 worth of furniture for each house for a total population of 90,000,000 people, estimating 6 per family in each home. Or this sum would pay all the salaries of 25,000 school-teachers, at \$625 per year, from the birth of Christ to the year 1909, and leave sufficient to establish 50 universities, each institution provided with \$10,000,000 worth of buildings and equipment, and each institution provided also with a \$10,000,000 endowment fund for running expenses; and

Whereas we believe the members of the aforesaid lodge are promoting war, even though they would have it appear to the contrary, by asking for increased construction of battleships; and

Whereas we believe that whoever would understand war must give special attention, first, to the economic interpretation of history; second, to the class struggle, considered historically and currently; and, third, to surplus value, produced by the workers, but legally escaping from their control to the capitalist class, as a result of the institution of private ownership and private control of the collectively used means of production: Therefore be it

Resolved by the Danville Trades and Labor Council and Vermillion Lodge, No. 473, International Association of Machinists, That we disapprove of the appeal made by the aforesaid Lodge No. 174, believing that occasional literary and oratorical snowballs ignorantly, gracefully, and grammatically tossed in the direction of hell (for war is hell) will have no effect on the general temperature of that warlike region; and be it further

Resolved, That the two inclosed petitions intended for to be sent to our Congressmen and Senators be left blank, and that a copy of these resolutions be sent to Lodge No. 174 and the monthly journal of the International Association of Machinists for publication.

DANVILLE TRADES AND LABOR COUNCIL,
JOHN F. DEMLOW,
P. R. CHRISTENSON,
GEO. W. BERRY.

Resolution Committee.

Adopted by Local No. 473, International Association of Machinists, January 26, 1914.

H. A. WISE, President.
W. T. RIZER, Recording Secretary.
EDWARD M. METHE,
PERCY MOLYNEAUX,
FRED WITTIG,
Resolution Committee.

Now, Mr. Chairman, that is evidence of what the members of organized labor are thinking at this time about war. I can produce many resolutions that have been passed throughout the country by the American Federation of Labor and of national organizations, bearing out the statement that this sentiment exists in all labor organizations. I have a letter from the Chicago Federation of Labor asking my influence to secure peace in Mexico. It is as follows:

CHICAGO, ILL., April 22, 1914.

HON. FRANK BUCHANAN, M. C.,
Washington, D. C.

DEAR SIR: At the regular meeting of the Chicago Federation of Labor, held Sunday, April 19, 1914, representing over 250,000 working men and women, resolutions were unanimously passed, as follows:

"Whereas the relations between the United States and Mexico are strained and war seems to threaten; and

"Whereas the commercial interests are doing their utmost to bring about intervention in Mexico which would be profitable to them, placing great wealth in their hands, fixing the attention of the American people upon Mexico, and taking it away from the industrial questions upon which the organization and life of labor depends; and

"Whereas the burden and suffering of war are always placed upon the working classes, while the glories and profits are never shared with them; and

"Whereas war with Mexico would develop military ideals which would submerge the constructive ideals for which organized labor stands; and

"Whereas intervention by America would not operate to give the lands of Mexico to the people of Mexico, but would result in untold sufferings to Americans, which would not help the workers of either nation: Therefore be it

Resolved, That the Chicago Federation of Labor commends President Wilson for his efforts to restrain the greed of the commercial interests and to protect the American people from the horrors of war; and be it further

Resolved, That we recommend that the President, the Cabinet, and the Members of Congress be urged to exhaust every possible means to prevent the United States from becoming involved in the struggle with Mexico; and be it further

Resolved, That a copy of this resolution be forwarded to the President, the Secretary of State, and the Illinois Members of the House of Representatives and the Senate.

Respectfully submitted.

CHICAGO FEDERATION OF LABOR,
JOHN FITZPATRICK, President.
E. N. NOCKELS, Secretary.

It will cost more than \$30,000,000 to construct two battleships. The wageworker must bear the burden of taxation to build and maintain them. We now have all the battleships that there is a possibility of there being a need for, therefore the authorization of these two battleships is a reckless waste of the public funds.

Mr. PADGETT. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Chairman, the world, as a rule, is controlled by moral and spiritual forces in the end, and the whole trend of human society, unless it is degenerating, is in the direction of the control of human affairs by principles in accord with the moral laws of the universe.

I feel that the United States is clearly the most advanced organization that has yet arisen in the history of the world undertaking to embody the moral laws in the Nation's activity. At Mobile President Wilson announced in effect—it is called the proclamation of Mobile—that the United States would never annex a foot of territory by conquest. I believe that even a superficial examination of historic incidents of this Nation's relations with the outside world will confirm the proposition I have laid down, that we are the foremost Nation in all the world to regulate our conduct by the moral law.

But that very fact puts upon us great responsibilities. We not only embody more than any other nation in our organic law and our statutes and principles underlying our institutions of the moral law, but we are the most potential instrumentality the world has even seen to promote and extend the

sphere of influence of the moral law amongst the nations of the world.

To me a nation, like an individual, has a beautiful and glorious responsibility of being an agent, sharing with the Almighty the execution of the great laws of evolution, the great laws underlying life and the universe.

The responsibility that America has upon her is to promote as rapidly as possible the reign of justice and right, liberty, free institutions, the rights of men—those conditions under which the men and women of the world could in the shortest time and most consecutively develop most in character. That responsibility is the greatest responsibility the Nation has. It is its contribution to the evolution and uplift of humanity, and it is that responsibility that ought to make us very thoughtful and earnest in deciding upon our relationship and what is beneath our relationship with the outside world. A corollary to President Wilson's proclamation of Mobile would be: America will never annex any territory in the Western Hemisphere by conquest, and neither shall any other nation. A corollary to her occupation of the Philippine Islands, with the underlying principle that we are there for their good and will in time give them self-government and retire ourselves, is that no other nation shall occupy the Philippines for purposes of oppression or even for purposes of ruling over those people against their consent. When we announce the Monroe doctrine, that the Western Hemisphere shall not be subject to the colonial policies of the Governments of Europe that are based on the principle of aggrandizement, each nation getting advantage in its own colony, and that instead of this there shall be the principle of equality of opportunity for all, we should add that we do not ask special privileges at the hands of any people in the Western Hemisphere, and neither shall we permit any other nation to demand special privileges. When we announce that we adhere to the open-door policy in China, to the principle of equality of opportunity there, we are morally under obligation to announce that no other nation shall despoil China for selfish advantage.

America occupies this position of leadership to extend the principles of equality of opportunity, justice, and fair play, a fair chance for all the sons of men in the world. This responsibility is very great, and when we come to analyze the process of expansion of the moral forces we will find this to be the case. It can come only with organization amongst men, ever widening, and the development of civilization causes the unit of organization to extend all of the time from the family to the clan, from the clan to the tribe, from the tribe to the nation, and ultimately there will be an organization of the nations of the world, a world government. Another thing that is involved is not merely the physical barriers between peoples, but the average standard of character already evolved, and the progress of the moral forces of the world can only keep pace with the average standard of character of the men of the world. When we come to investigate and analyze the average standard of character of the nations of the world, we see that we have not yet reached the point where they can get together and work out their differences according to the laws of justice and right. It is like being on the frontier, with a responsibility of preserving those conditions of order under which all of the civilizing and elevating forces can operate without interference. That is analogous to the position of America to-day. When we combine with this the appreciation that we have more property really exposed than all of the countries of the world combined, and that we have no army, then it is clear that if an enemy that has a great army gets control of the sea he can strike us on our mainland, in the Panama Canal; he can strike us in Porto Rico and Hawaii and in the Philippines, whereas if we get control of the sea, with the other nation having a big army, we can not harm the other nation, we can not strike her. Getting down to the last analysis it means that America in the Atlantic, which washes the shores of Europe and the Western Hemisphere, ought to have a navy at least the equal of any great military nation of Europe, and that in the Pacific, which washes the shores of Asia, of Alaska, of the Panama Canal, and of our outlying possessions, we ought to have a fleet as large as any military nation of Asia. That means we ought to have a fleet in the Atlantic as large as the navy of Germany and in the Pacific a fleet as large as the navy of Japan. That would mean this. A navy develops very rapidly.

If you are not up to date, you are outclassed. It is the most rapidly developing of all of the industries. Old ships should not be ranged and lumped in with the new. The revolution that brought in the dreadnaught class is the starting point for determining the strength of modern navies. Starting with that point, we have Germany authorizing about three and a half dreadnaughts a year, and by the dreadnaught I include the

dreadnaught proper and the battleship cruiser, and we have Japan authorizing about one and a half a year. So, since 1907, America ought to have been authorizing about five battleships a year, and we have not done so. The naval estimates for new construction will show this is just about what has been taking place. We have been authorizing less than two, a little more than one and a half, when we ought to have been authorizing five. I know we have spent large sums of money, but members ought to realize that those sums are not expended upon new construction. Our Navy is very expensive to maintain, and we have not yet adopted any definite policy to make it more economical. What we ought to do is to have a Navy up to date, and have a large reserve number of battleships out of commission.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield? Mr. HOBSON. Just one moment.

Mr. DICKINSON. It is just for a question. Do I understand the gentleman from Alabama to say that he is in favor of the United States maintaining a navy as large as the navy of Germany in the Atlantic, and a navy in the Pacific—

Mr. HOBSON. Oh, I will ask the gentleman to please hurry up—yes; that is what I have said.

Mr. DICKINSON. As large as the navy of Japan?

Mr. HOBSON. Yes.

Mr. DICKINSON. My recollection is that a few years ago when the gentleman spoke in my home town, he advocated a Navy on the part of the United States as large as the combined navies of all of the European nations.

Mr. HOBSON. The gentleman is mistaken. If we want to start now a legitimate naval policy, this year would call for about five dreadnaughts. I believe that they ought to be divided into three types, and that three of them ought to be of the dreadnaught-proper class, and that two of them ought to be of the fast-dreadnaught or of the battleship-cruiser class.

And I am going to offer an amendment to that effect, a separate paragraph for fast dreadnaughts, and discuss that question. I am going to offer an amendment for some of these fast dreadnaughts of which we have none. But the proposition I want to impress upon the Members here is that our naval program to carry out our national policy is very simple. It does not require our initiative at all. It is simply that with the responsibility we have for the promotion of the moral forces of the universe, for our own self-preservation we ought to have this fleet on the Atlantic and this fleet on the Pacific, so that each year we can take the German law—the Germans have been farsighted enough to have their program follow a law for several years, through a number of years—we can take the German law and the amendments to that law—they are continually making amendments increasing the law—and we can find out what will be the expenditures for the next few years from Germany and the same from Japan and then fix our program equal to a combination of the two. [Applause.]

The CHAIRMAN (Mr. JOHNSON of South Carolina). The time of the gentleman has expired.

Mr. PADGETT. Mr. Chairman, I will ask the gentleman from Missouri [Mr. HENSLEY] to use the remainder of his time.

Mr. HENSLEY. Mr. Chairman, I yield 30 minutes to my colleague on the committee, Mr. WITHERSPOON, of Mississippi. [Applause.]

Mr. WITHERSPOON. Mr. Chairman, the facts with reference to the American Navy have been so fully discussed that it is not my purpose to attempt any repetition of the arguments in general debate. I do desire, however, to call the attention of the committee to two policies, on one or the other of which the administration of the American Navy must be conducted. These two policies are radically different in principle, in purpose, in results, in method, and in all moral qualities. One of these policies, which I will call the "battleship policy," seems to me to be founded on the principle, not that the power of the Navy is proportioned to the destructive force of the guns and the skill of the men in shooting, as Admiral Vreeland testified is the real test, but on the principle that its power is proportioned to the units in the fleet, and on the further principle that the construction of battleships affords large profits to capital and employment to labor. How much profit there is in the construction of a \$36,000,000 naval program I do not know, but I feel absolutely certain that the profits are big enough to result in a dangerous combination between the plutocracy of our country and the devilish militarism which now controls the expenditures of 70 per cent of Federal taxes, and is rapidly substituting a plutocratic empire for the Union of our fathers. [Applause.] There are, however, a number of instances developed in this investigation which enable us to measure with some accuracy the amount of waste and graft with which this bill is loaded. The difference between \$440 which we will be compelled to pay

for the armor plate of these two battleships and the real cost of the construction of the armor plate—\$279—that difference, or \$161 per ton, multiplied by 16,000, makes \$2,570,000, which is the amount of the damnable graft that you are asked to vote into these two battleships.

Mr. SHERWOOD. Will the gentleman allow an interruption?

Mr. WITHERSPOON. I will allow—excuse me just a moment; I will answer you—I will allow the gentleman, and only the gentleman, to ask me one question, because I will not have time to answer questions.

Mr. SHERWOOD. The statement was made this morning on the floor—an intimation—that we needed more battleships on account of the coming Mexican War. Is it not true that the old battleship *Oregon*, which is about to be discarded, could whip the whole Mexican Navy on any sea or ocean in the world?

Mr. WITHERSPOON. Yes; a dozen like it put together. Now, another instance is powder. This bill carries an appropriation for about 7,000,000 pounds of powder that can never be used in time of peace nor in time of war, because if we had a war that lasted long enough to wear out every gun in the Navy we would not near get to the 7,000,000 pounds of powder for which you are asked to waste this money. There is another instance of graft and waste that characterizes the battleship policy. Take, for instance, the question of shells. We have been paying \$274 apiece for our large projectiles. That is what the "good" trusts of America have been charging us for I do not know how many years.

Mr. SHERWOOD. Is that the 13-inch shell or the 12-inch shell?

Mr. WITHERSPOON. The 12 and 14 inch. Now, some time ago the department advertised for bids, and an English concern—Hadfield & Co.—knowing that we were being robbed on shells, bid \$189 a shell and got the contract. The next contract that was let, these same American trusts, that had been charging us \$274 apiece, discovered what the real worth of shells was and bid \$165.

The difference between \$274 and \$165, or \$109 apiece, gives you a sort of measure per shell of the waste and graft and dishonesty that is involved in the battleship policy of the American Government. When the first draft of this bill came before your committee it contained a provision for the establishment and an extension of our gun factory that was to cost \$2,225,000. The Chief of the Bureau of Ordnance told us that we did not need any such extension for the ships that are now authorized, and that we did not need any such extension for the two battleships carried in this bill, and that we did not need it at all except for some remote battleships which might be built in the distant future, and the testimony was so overwhelming that that piece of graft was even knocked out of the bill by the subcommittee which reported it. I could go on and give you instance after instance, but that is the battleship policy. It is to collect huge sums of money from the people and pay it out in certain localities and to certain great concerns to produce profit to capital and employment to labor. Mr. Chairman, what time did I begin and how much time have I consumed?

The CHAIRMAN. The gentleman has consumed 10 minutes.

Mr. WITHERSPOON. Another thing I want to call attention to about this policy which I think throws some light upon the question whether it is right or wrong. Any policy that is right, just, and fair and honest I think seeks no support in misrepresentation and falsehood. This policy, as I have shown you, has been propagated by a slander of the American Navy, an attempt to stigmatize it as inferior in order to bolster up an unrighteous cause.

They indulge in comparisons with foreign navies and leave out 17 of our armored vessels, 32 of our big guns, and in every other way try to make you and the American people believe that we have an inefficient, obsolete Navy. That statement has, I submit, been demonstrated to be false, and no man has attempted on the floor of this House to show—and no man can successfully show—any truth in this charge against our Navy. What do you think of a policy that has to resort to misrepresentation and falsehood in order to bolster it up? Truth never goes hand in hand with graft, waste, and wrong, and one of the marks of a wrong policy is the resort to misrepresentation and deception.

But they say that this policy is inspired by patriotism; that the naval officers who advise it and the 17 naval statesmen on the Naval Affairs Committee who report it are all inspired by patriotism. For the sake of argument I am willing to concede that in them is centered all the love of country that exists around here, and for the sake of argument I am perfectly willing to admit that the gentleman from Missouri [Mr. HENS-

LEY] and the gentleman from Illinois [Mr. BUCHANAN] and the gentleman from Indiana [Mr. GRAY] and I are utterly devoid of patriotism. Concede all that, and I ask you what is the value of their patriotism when it results in a policy identically the same as the policy you would have if it were inspired by greed and avarice? Suppose you had a bill here written by a regular grafter, devoid of patriotism, and what sort of a bill do you think he would write? This bill carries \$139,000,000. How many millions do you think a grafter would want it to carry? This bill provides for two battleships. How many battleships do you think men would write into it if they were controlled solely and exclusively by their self-interest? Why, when you authorize two battleships a year that results in the construction of six battleships all the time, because it takes three years to construct one.

Now, there are only six corporations in the United States that can build battleships, and when you authorize two a year you authorize enough to keep them all going all the time. [Applause.] How many do you think they would authorize if they had to write this bill? Would they authorize more than they could build, or would they authorize the same number that these 17 naval statesmen have authorized? This bill carries provision for 7,000,000 pounds of powder that we can never use. How many do you think the Powder Trust would write into the bill if it had the right to do so?

Another characteristic of this battleship policy is that it is cold, heartless, pitiless, merciless. It has no mercy and no pity for the great masses of the poor who have to pay for this waste and extravagance. It does not stop to consider that the mortgaged debt on the home of the poor farmer must be increased to gratify this vicious taste. It does not stop to consider that the poor laborer whose earnings are just enough to make both ends meet, every time he buys a pound of sugar or a sack of tobacco, or a garment to put on his back or that of his children, must contribute to this enormous waste. It is utterly deaf to his appeals for mercy. In all this bill there is not as much mercy for the laborer, there is not as much pity for the farmer, there is not as much sympathy for the masses of the poor as there is in the heart of a hungry cat for the helpless mouse upon which it leaps. [Applause.]

But I shall have to present this battleship policy to you, and if your conscience will help your stomachs, swallow it down. Let me call your attention to the other policy. The other policy aims wholly and exclusively at the improvement of the Navy, at the increase of its power and efficiency, and is utterly oblivious to all other considerations. We believe that this can be done in a number of different ways, and I want to give you just a few illustrations.

In the first place, all the naval officers and everybody agree on the proposition that the most important factor in the power of a navy is the men. More important than guns and ships are the men. We have had it beaten into us ever since I went on that committee that we have not officers enough to use the ships which we already have. One officer told us that it would take the academy 20 years to turn out enough officers for the ships that we have now. Why, then, do you want more ships? But not only the number of the men and officers on ships, but more important still than that is their skill in shooting. All this war preparation amounts to absolutely nothing unless you can hit the enemy's ship, and that is skill which can only be acquired by long practice. We now give our men 12 shots a year for each one of these guns. I believe that shooting a big gun on a battleship at an enemy 7 miles away requires more practice to be skillful than it does to shoot birds on the wing, and a man who did not shoot but 12 times a year in bird hunting would not kill one bird out of five hundred. The admirals have told you that they have tried it in the Marine Corps, and the target practice there, which is 300 shots a year for each man, has resulted in increasing the efficiency of that corps 1,000 per cent, and that one company there now is equal to five of a few years ago. Target practice will make a ship that can hit five times as often as the enemy's ship equal to just five of the enemy's ships, if they are equal in every other respect.

How much time have I, Mr. Chairman?

The CHAIRMAN. The gentleman has seven minutes remaining.

Mr. WITHERSPOON. Briefly, we have 78 big guns in our Navy that are 35 calibers long. I have shown you by the ballistic tables in this argument that to substitute 45-caliber guns for those 35 caliber would double their destructive force. And all of that could be done for about one-tenth of what it costs to build one battleship, and would increase the power and the efficiency of the Navy ten times as much as to add two more battleships to it.

I wish I had time to discuss a number of other questions affecting the good of the Navy which have never been investigated, because we spend all our time trying to squander the public funds. One thing, we have not a single navy yard on either coast to which a badly wounded battleship could ever get in time of war except at Puget Sound. If we had been studying the good of the Navy, we would have had that thing corrected; but we do not have time to do that. I could go on and show you a great many other things that have occurred to me. I could show you how we could increase the power and efficiency of the Navy at a small cost, and I honestly believe we could double its efficiency and power and still reduce this appropriation from \$140,000,000 to \$100,000,000, if we had an opportunity. But where the whole time is taken in driving toward these useless battleships, it paralyzes all efforts to improve the Navy. [Applause.]

Here are the two policies. They are so radically different, so antagonistic one to the other, having such different objects and purposes, that you can not blend them. The two can not go together. You must take the one or the other. You can not blend the moonbeam on the cloud with the shadow in the cave. You can not blend the tint upon the cheek of the flower with the filth in the gutter. You can not blend the smile of love with the frown of hate. And you can not blend the patriot's love for his country with the selfish greed of the grafter. [Loud applause.]

Neither can that courage, that patriotism, that self-sacrifice which has always covered the American Navy with glory ever be blended with the insatiable passion for gold and the impudent clamor for profits in more battleships. [Applause.] The two antagonistic forces can not long coexist in the same character, for the stronger force will overcome and subdue and finally expel the weaker from the heart. You must choose the one or the other. For my part, I have seen the slimy fingers of commercialism clutching the white throat of the American Navy, and I have done now all that I could do to break asunder its unholy grip.

My country, 'tis of thee,
Sweet land of liberty,
Of thee I sing.

[Prolonged applause.]

Mr. PADGETT. Mr. Chairman, I listened with much interest and pleasure to the gentleman who has just taken his seat. He uttered some very beautiful sentiments; among them one sentiment that appealed to all of us, that you could not blend patriotism with graft. I agree with the gentleman absolutely, and as there is no effort and no attempt to blend patriotism with graft, it was an academic statement.

It is equally true, Mr. Chairman, that the patriotism which is not practical, that patriotism that lies supine, that patriotism that is neglectful of the interests of the country, that patriotism that fails to look to the environment in which one's country is placed and allows the country to be placed in a condition where it is defenseless, becomes criminal. [Applause.]

The gentleman from Texas [Mr. HARDY], following the lead of the gentleman from Missouri [Mr. HENSLEY], paid me a distinguished tribute in quoting extensively from a speech I made in 1910. As I said in reply to the gentleman from Missouri [Mr. HENSLEY], I repeat now, that the same motives and the same purposes that moved me at that time I still cherish. But conditions change, and men change with them. Countries change. Our environments differ, and the man who would move his actions according to the environment of 1910 when dealing with problems in 1914 is a lightning-bug statesman. His headlight is toward the stern of the ship. [Laughter and applause.]

Mr. Chairman, let me call the attention of the committee to a few facts. In 1910 the American Navy, by all the authorities in the world, was classed as second in efficiency and in fighting power. In 1914 it is classed by every naval authority in the world as No. 3, much behind Germany.

In 1910, of which I was speaking, what were the conditions that had just preceded us? Great Britain had recently before that time reduced its appropriation for new construction from \$66,000,000 a year to \$57,000,000, and was contemplating a further reduction to \$52,000,000 a year, and the expenditures of all the other naval powers outside of the United States showed no practical increase over previous years. During the next two years Great Britain further reduced its new construction to \$44,000,000, instead of, as it had been, \$66,000,000; Russia reduced hers from \$20,000,000 to \$19,000,000; France from \$22,500,000 to \$21,000,000; and the United States had reduced its from \$43,000,000 to \$24,000,000. I speak in round figures.

What are the facts now? In 1913 Great Britain raised its appropriation for new construction to \$81,500,000, Russia raised hers to \$59,000,000, Germany hers to \$55,000,000, and France to

\$45,000,000; and for the fiscal year 1914-15 England has increased her appropriation for new construction to \$89,412,000, Germany hers to \$49,889,000, France to \$53,531,500, Russia to \$66,750,846, and the amount carried in this bill that gentlemen here characterize as "graft" is \$36,000,000 for the new construction in the Navy.

Gentlemen should deal with facts. Theories are beautiful, but facts are what appeal to intelligent, thoughtful men. We are dealing with conditions. The gentleman referred to the unhappy relation existing at this time with the country immediately south of us. It has called to your attention and has emphasized the important part that the Navy would play in case of trouble. With the country south of us without a navy, if the Navy of the United States is so important and so essential, what would be the necessities and the demands upon the Navy if we had a similar trouble with one of the great naval powers of the world, and what part would our Navy play greater than it is playing now?

The gentleman said "Liberty," and that reminded me of the fact that Patrick Henry said upon one occasion, memorable in the history of this country, that "Eternal vigilance is the price of liberty." And I say here in this company to-day that ever preparedness is the preserver of liberty. [Applause.]

You can not speak of liberty in the abstract and say "Eternal vigilance is the price of liberty," except eternal vigilance adapts itself to existing environments and learns the lesson and teaches the principle that liberty is preserved by preparation. The gentleman from Mississippi [Mr. WITHERSPOON] spoke very beautifully and touchingly a moment ago about—

My country, 'tis of thee * * * I sing.

Ah, yes; all of us. But, my countrymen, I never want the time to come in the history of this country when the American people, like the people of Israel in the days of old, shall hang their harps on the willows and sing of the disasters and of the defeats of their country. [Applause.] I want us ever to sing the glory, the triumphs, and the power of our country, and never with harps hanging upon the willows to sing of the humiliation of our country. I want us ever to be ready, so that we can say to the world, "We stand upon high ground; we stand for manhood; we stand for womanhood; we love peace, and we shall have peace even if we shall have to command it."

No man can have peace, no country can have peace, as long as it is in a condition where it can be kicked and butted as every other nation in the world may see fit to do. We must maintain ourselves in condition to uphold the peace and the dignity of our country, and that is what your Committee on Naval Affairs has reported in here.

But gentlemen have come in here from time to time and used the word "grafters" and all sorts of words imputing and insinuating improper purposes and improper motives. It appears in the testimony, in the statement of the Secretary of the Navy, that he submitted this proposition of two battleships to the President of the United States before he submitted it to the Congress, and it met the personal and official approval of President Wilson, and was submitted to Congress in obedience to and in conformity with the approval of President Wilson.

Was that graft? Is the President particeps criminis in graft? Is the Secretary of the Navy, who, as the representative of the people of this country, has charge of the affairs of this great department, and who has shown by his acts, as well as by his declarations, his purpose to scrutinize and to eliminate from the administration of his office every improper practice and to secure the best terms possible for the people of this country, who has saved hundreds of thousands of dollars already in the administration of his office—is he particeps criminis in graft when he submits this proposal? The gentleman from Mississippi [Mr. WITHERSPOON] stood upon this floor and paid a deserved and just tribute to the men of the Navy. Are these men of the Navy, who have stood in the front of battle and who have risked their lives and have dedicated their lives and their honor to the glory and the protection of the country, when they come here and give us the benefit of their study and their knowledge and their experience upon these questions, when they tell us that every consideration of patriotism and of self-preservation, every consideration of the welfare and the perpetuity of our Government demands of us that we have these two ships—are they, then, in the language of the gentleman, no longer to be trusted, are they no longer to be considered as honorable men, but as grafters, working in the interest of the trusts and the combines? Gentlemen, such arguments as that do not address themselves to the judgment and the intelligence of thoughtful men. They find no lodgment in honest hearts, when everything is laid open and we can understand and know the facts.

In conclusion, when we come to vote upon this matter, I address myself to you as American citizens interested in the welfare, the prosperity, the glory of the American people, interested in living up to the American history of the past and moved by an honorable purpose to preserve unstained and unsullied the dignity, the manhood, the glory of this country for the history that is to be made in the years to come. [Applause.]

Mr. Chairman, I ask for a vote.

Mr. GRAY. Mr. Chairman, I wish to offer an amendment to the amendment offered by the gentleman from New York [Mr. MAHER].

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

The Clerk read as follows:

Page 3, line 12, after the word "each," strike out the period and insert the following:

"Both of the battleships hereby authorized shall be built and constructed at a Government navy yard."

Mr. MANN. I make a point of order that that is not an amendment to the amendment offered by the gentleman from New York [Mr. MAHER].

Mr. GRAY. I offer it, then, simply as an amendment, if you make your point of order.

The CHAIRMAN. Does the Chair understand the gentleman from Indiana to withdraw his amendment?

Mr. GRAY. I will withdraw it to offer it again.

Mr. MANN. Does he offer it as an amendment to the amendment or an amendment to the bill?

The CHAIRMAN. The gentleman offers it now as an amendment to the bill.

Mr. GRAY. I do not care how I offer it, so long as it is offered.

Mr. MANN. Under the order that was entered, is debate on this amendment in order? This is an amendment proposing to build in a navy yard.

Mr. GRAY. Have I the right to offer it as a substitute if this amendment is not in order?

Mr. MANN. I think so. I think the gentleman has the right to offer the amendment. Is debate on this amendment closed or not?

Mr. PADGETT. Debate upon the paragraph with reference to the number of ships, and so forth, has been concluded by agreement. The question whether ships shall be built in Government navy yards is left open for discussion.

Mr. MANN. The amendment of the gentleman from Indiana and the amendment of the gentleman from New York [Mr. MAHER] also were in reference to where the ships should be built.

Mr. PADGETT. Yes; that question was left open.

Mr. MANN. If that amendment is to be discussed, why not let it wait until the other matter is disposed of?

Mr. GRAY. I asked the chairman when I could offer this, and he said to offer it right away. I am simply complying with his suggestion.

Mr. MANN. I have no desire to have it discussed, as far as I am concerned.

Mr. KONOP. Let us vote on the ships.

Mr. BROWNING. I reserve a point of order on the amendment.

The CHAIRMAN. The Chair is in doubt as to whether the gentleman has made his point of order in time.

Mr. MANN. The amendment has not yet been reported as a separate amendment.

The CHAIRMAN. That is correct. The gentleman from Indiana now offers an amendment to the bill, which amendment the Clerk will report.

The Clerk read as follows:

On page 53, in line 12, after the word "each," strike out the period and insert the following:

"Both of the battleships hereby authorized shall be built and constructed at a Government navy yard."

Mr. BROWNING. I reserve a point of order on that amendment.

Mr. HARDY. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARDY. The gentleman from New York [Mr. MAHER] offers an amendment to have one of these ships built in a Government navy yard. Would not the amendment of the gentleman from Indiana, in order to determine its place in the category of motions, be more properly offered as a substitute for the amendment of the gentleman from New York?

The CHAIRMAN. The Chair does not feel called upon to determine that question at this time. The gentleman from Indiana [Mr. GRAY] came to the Chair with an amendment, which the Chair did not read, and asked the Chair when he should offer it. The Chair, without making a ruling, expressed the

opinion that he could offer it whenever he chose after the expiration of the debate.

Mr. BROWNING. A parliamentary inquiry.

Mr. HARDY. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas.

Mr. HARDY. Would it not be in order to move that as a substitute for the amendment of the gentleman from New York?

The CHAIRMAN. That point has not been reached yet.

Mr. BROWNING. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BROWNING. As I understand, this amendment will not be voted on until after we decide on the number of battleships to be constructed.

The CHAIRMAN. The amendment properly comes up after the question has been determined whether the paragraph shall remain in the bill as reported by the committee.

Mr. BROWNING. Because if the amendment is offered now, I wish to make a point of order against it.

The CHAIRMAN. The Chair understands that the gentleman at this point reserves a point of order upon the amendment offered by the gentleman from Indiana, and the Chair will recognize him for that purpose at the proper time, but this is not the proper time.

Mr. MANN. The gentleman from Mississippi [Mr. WITHERSPON] offers an amendment to strike out the paragraph. Of course, under the rules, any amendment to perfect the paragraph has to be voted upon before the amendment to strike out the paragraph. Both these amendments in reference to where the battleships shall be built are to perfect the paragraph, and, I think, would have to be voted upon first, unless by unanimous consent that is put over.

Mr. BARNHART. In the event that the House should decide that it would build only one battleship, or none at all, then the amendments would be of no use.

Mr. MANN. I am perfectly willing to have it put over; but the House might vote it or strike it out on the question as to whether the battleships were to be built in a navy yard or not.

Mr. BARNHART. The proper time to consider it would be after we decide the other matter, whether we shall have any battleships.

Mr. MANN. Not from a parliamentary point of view.

Mr. PADGETT. Mr. Chairman, I will ask that the vote be taken on the question as to whether or not we shall have one battleship or two or none; and then vote on the question of where they may be constructed.

Mr. MOORE. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. I desire to offer an amendment to the amendment offered by the gentleman from New York [Mr. MAHER].

Mr. CALDER. Why not determine first whether we shall build one or two ships.

Mr. MOORE. My inquiry is whether or not it is now in order to offer an amendment to the amendment offered by the gentleman from New York [Mr. MAHER].

The CHAIRMAN. The Chair is of opinion that it is in order.

Mr. MOORE. Then I present an amendment to the amendment offered by the gentleman from New York [Mr. MAHER], which I send to the desk.

The Clerk read as follows:

Add the following to the Maher amendment: "Unless it shall be found that but one Government yard is equipped to build a battleship."

Mr. CALDER. To that I make a point of order.

Mr. BROWNING. I reserve a point of order.

Mr. MOORE. Mr. Chairman, the point of order being reserved, is it in order to discuss the point of order?

Mr. PADGETT. Mr. Chairman, I ask now that the vote be taken upon the question whether there be one battleship or two, and then that a vote be taken on whether the paragraph authorizing any may be voted upon, and, after that is done, that the vote may be taken on these other amendments.

The CHAIRMAN. Is there objection?

Mr. J. M. C. SMITH. Reserving the right to object, would it be in order to offer an amendment now and have it pending?

The CHAIRMAN. It would.

Mr. J. M. C. SMITH. I offer the following amendment.

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

The CHAIRMAN. The gentleman will state it.

Mr. BARNHART. According to the statement of the chairman of the committee, if two battleships are decided upon those in favor of one battleship or none will have no opportunity to express their preferences.

Mr. MANN. There is an amendment pending for one battleship.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. J. M. C. SMITH:

On page 53, at the end of line 12, add the following: "That all materials used in the battleship or battleships authorized shall be purchased and procured in the United States."

Mr. PADGETT. To that I reserve a point of order.

Mr. ROBERTS of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROBERTS of Massachusetts. Is the amendment of the gentleman from Indiana [Mr. GRAY] pending before the committee?

Mr. MANN. It is pending; it was reported.

Mr. ROBERTS of Massachusetts. If so, I desire to offer an amendment to that amendment.

The CHAIRMAN. The Chair is of the opinion that the amendment offered by the gentleman from Indiana [Mr. GRAY] is pending, and the Clerk will report the amendment to the amendment.

The Clerk read as follows:

Add to the amendment of Mr. GRAY the following:

"And the Secretary of the Navy is hereby authorized to equip such navy yards as he may designate in which the battleships herein authorized are to be built with the necessary building slips and equipment, and the sum of \$200,000, or such part thereof as may be necessary, is hereby appropriated for each navy yard designated by the Secretary of the Navy in which the battleships are to be constructed."

Mr. JONES. To that, Mr. Chairman, I reserve a point of order.

Mr. PADGETT. Now, Mr. Chairman, I ask that a vote may be taken on the amendment offered to strike out "two" and insert "one."

The CHAIRMAN. Without objection, the vote will be put that way, and the Clerk will report the amendment.

The Clerk read as follows:

Page 53, line 8, after the word "constructed" strike out "two" and insert "one."

Mr. MOORE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. When the gentleman from Tennessee, chairman of the committee, was arranging about time for discussion of the general battleship proposition, I made an inquiry as to whether there would be any time for arguing these amendments, and was told that that would come after the general discussion; that is to say, the 2 hours and 20 minutes discussion.

Mr. PADGETT. I stated that all amendments were concluded except the one of where the battleships should be built.

The CHAIRMAN. The question is on the adoption of the amendment just reported.

The question was taken; and on a division (demanded by Mr. HENSLEY and Mr. BUCHANAN of Illinois there were 80 ayes and 128 noes.

Mr. HENSLEY. Tellers, Mr. Chairman.

Tellers were ordered, and the Chair appointed as tellers Mr. PADGETT and Mr. BUCHANAN of Illinois.

The committee again divided; and the tellers reported that there were 91 ayes and 148 noes.

So the amendment was rejected.

The CHAIRMAN. The next amendment to be voted upon is the Moore amendment offered to the Maher amendment.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the vote may now be taken on the Witherspoon amendment.

Mr. PADGETT. I ask unanimous consent that a vote may now be taken on the Witherspoon amendment, to strike out the paragraph, and then, having disposed of that, we can perfect it with the other amendments.

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

The question was taken; and on a division (demanded by Mr. WITHERSPOON) there were 41 ayes and 152 noes.

So the amendment was lost.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Pennsylvania to the Maher amendment, which the Clerk will report, and the amendment to the amendment.

The Clerk read as follows:

Amendment by Mr. MAHER:

On page 53, line 12, after the word "each," insert the following: "At least one of the said battleships hereby authorized shall be built and constructed at a Government yard."

Mr. MANN. I reserve a point of order on the Maher amendment.

Mr. BROWNING. And I make the point of order against that amendment.

The CHAIRMAN. The gentleman from Illinois reserves a point of order to the amendment and the gentleman from New

Jersey makes a point of order against the amendment to the amendment.

Mr. BROWNING. No, Mr. Chairman, I make it against the Maher amendment first.

Mr. MURDOCK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MURDOCK. The Chairman first proposed that the amendment to the Maher amendment should be read, and the Clerk was about to read the amendment to the amendment, when the point of order was made by the gentleman from New Jersey [Mr. BROWNING].

Mr. MANN. The gentleman is late. When the gentleman from New York [Mr. MAHER] offered his amendment this afternoon, three hours ago, I reserved the point of order upon it.

Mr. MURDOCK. I realize that; but latterly just at this moment the Chairman asked the Clerk to read the amendment to the amendment.

Mr. MANN. The point of order had not been disposed of.

The CHAIRMAN. The gentleman from Kansas will no doubt remember that when the gentleman from New Jersey [Mr. BROWNING] rose some minutes ago for the purpose of reserving the point of order to the amendment, the Chair noted his reservation. The gentleman rose to a parliamentary inquiry, to know whether or not his reservation of a point of order at that time was in order. The Chair answered him by saying, in substance, that he would be recognized at the proper time, and in the clamor the Chair was endeavoring to recognize the gentleman from New Jersey, in order that he might make or reserve his point of order.

Mr. BROWNING. Mr. Chairman, I make the point of order that it changes existing law, and limits the power of the Secretary to build these vessels wherever he pleases.

Mr. MAHER. Mr. Chairman, is it not too late to make that point of order now?

The CHAIRMAN. The Chair has just held that it is not.

Mr. FITZGERALD. Mr. Chairman, will the gentleman state what law this changes?

The CHAIRMAN. The Chair was about to suggest to the gentleman from Tennessee [Mr. PADGETT], having charge of the bill, that he would be very glad to hear him upon the point of order.

Mr. PADGETT. Mr. Chairman, the amendment as written, I think, is subject to the point of order. It is not a limitation and does not purport to be, but is a direction, and it is held that wherever there is direction contained in an amendment on an appropriation bill which will direct or control the discretion of the Secretary it is legislation, and, therefore, is subject to the point of order. This does not purport to be a limitation, but is a direction to the Secretary.

Mr. FITZGERALD. Mr. Chairman, there is no law which authorizes these ships. There is no authority which confers upon the President the right to construct them at any place. The authority for the construction of these ships is contained in the paragraph in the bill. There is no statute authorizing ships for the Navy. This paragraph authorizes the President to have constructed two battleships. It is clearly legislation, because anything that empowers the President to do something which he can not do at the present time is legislation. The President has no power to have constructed two battleships or one battleship or any battleship.

The CHAIRMAN. The point of order comes too late from the gentleman from New York, if he makes it to the paragraph.

Mr. FITZGERALD. I am not making a point of order to the paragraph, Mr. Chairman, but I am calling the attention of the Chair to the fact that this paragraph itself is legislation, because it confers an authority which does not now exist. There is no law authorizing the President or any official to have ships constructed for the Navy. That authority is contained in this paragraph, and any germane limitation upon the authority to construct must be in order. This is the legislation which gives the authority to have the ships constructed.

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

Mr. FITZGERALD. Yes.

Mr. MURDOCK. Is not the history of this item this, that originally it was held out of order by the Chair and that the committee overruled the Chair on an appeal from his decision?

Mr. FITZGERALD. Mr. Chairman, this old provision has a very peculiar history. It was held that authority to construct ships for the Navy is in order on a naval appropriation bill. It is clearly legislation, because there is no authority in any existing law to add ships to the Navy. This provision gives the authority to add ships to the Navy, and if it gives the authority to add ships to the Navy, any provision that is germane to the provision granting that authority must be in order.

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

Mr. FITZGERALD. Certainly.

Mr. MANN. Do I understand the gentleman to say that, in his opinion, a battleship provision is subject to a point of order?

Mr. FITZGERALD. Mr. Chairman, I have not expressed any opinion on that question at all.

Mr. MANN. I am asking the gentleman from New York whether he does express the opinion that the battleship provision is subject to a point of order as new legislation?

Mr. FITZGERALD. But I have not expressed any opinion on that question.

Mr. MANN. The gentleman said it is legislation; and if it is legislation, it is not in order.

The CHAIRMAN. The Chair will settle that dispute by holding that if it were subject to a point of order it is not so now.

Mr. MANN. I understand that, Mr. Chairman, but I wanted to lead up to another question, and that is whether the gentleman from New York thought the rest of these items were subject to a point of order?

Mr. FITZGERALD. Mr. Chairman, the gentleman is as well informed upon these questions as I am.

Mr. MANN. Having been in the chair on the consideration of a number of naval appropriation bills.

Mr. FITZGERALD. And sometimes having been overruled. It has been decided that a provision authorizing additional battleships is in order upon a naval appropriation bill. There is no authority in any statute to build battleships, and any provision in a bill which confers an authority upon the executive officer which he has not at the present time is certainly legislation. If it be not legislation, it can not be defined.

The CHAIRMAN. What does the gentleman say to this proposition? If the paragraph in the bill originally was subject to a point of order, and a point of order was not made, may it not now be perfected by germane amendments?

Mr. FITZGERALD. There is no doubt at all of that, Mr. Chairman.

Mr. PADGETT. It is not subject to a point of order and it has never been so held.

Mr. SAUNDERS. Mr. Chairman, if this paragraph was subject to a point of order, and no point of order had been made, the answer to the question of the Chair would be in the affirmative, namely, that the paragraph could be perfected by a germane amendment. That principle, however, does not fit this situation. In the first place this paragraph is not subject to a point of order.

The CHAIRMAN. Is the Chair correctly informed this is an exception to the general rule?

Mr. SAUNDERS. This is the exception argued a few days ago. In the second place the amendment offered by the gentleman from New York is not a germane amendment to this paragraph authorizing the construction of two battleships. After the power is afforded for the construction of battleships, the authorities have the right to exercise a discretion as to where those battleships may be built, so that the amendment of the gentleman from New York proposing to limit the discretion of the authority of the official charged with the building of the ship, is certainly not a limitation. It does not perfect in anywise this particular paragraph. He proposes something that is not germane, namely, a proposition to limit the discretion of the President or the Secretary with respect to the yard or place at which the ship may be built. A limitation of discretion is certainly legislation, and on that ground the amendment of the gentleman from New York is subject to the point of order.

Mr. MAHER. Mr. Chairman, a similar amendment to the one I have offered has been offered in this House for some years past. In the Sixtieth Congress I find a similar amendment was offered here at that time on this bill. I will read to you what the Chairman of that committee held at that time. This is the Sixtieth Congress, first session, page 4807, House proceedings. After considerable discussion on both sides on the amendment pro and con, here is what the Chair said:

The Chair is prepared to rule. The Chair has not before him the ruling made at the last Congress, although the impression and recollection of the Chair is that the amendment was then offered to a succeeding paragraph in the bill. But the paragraph now before the committee contains the provision that the Secretary of the Navy may build the vessels herein authorized by contract or in such navy yards as he may designate. That provision of itself might be considered legislation, but, if so, any amendment germane to it would be in order. The Chair thinks the amendment offered by the gentleman from New York is germane, and the Chair therefore overrules the point of order.

The Chairman at that time was the gentleman from Illinois [Mr. MANN].

Mr. BROWNING. What is the amendment?

Mr. MAHER. An amendment similar to the one I have offered.

Mr. BROWNING. Will the gentleman be kind enough to read it?

Mr. MAHER. The amendment was:

Strike out the words "by contract or in navy yards, as hereinafter provided," on lines 1 and 2 of page 76, and add, after the word "eight," on line 7, on page 76, the following provision: "At least one of such battleships shall be built and constructed, under the direction of the Secretary of the Navy, at one of the navy yards; the other of said battleships may also be constructed at one of the navy yards, in the discretion of the Secretary of the Navy, or by contract, as hereinafter provided."

Mr. BROWNING. Was the point of order made?

Mr. MAHER. Yes.

Mr. BROWNING. What did the Chair state?

Mr. MAHER. The Chair ruled it was not subject to the point of order at that time.

Mr. BROWNING. Who was the Chairman?

Mr. MAHER. The gentleman from Illinois [Mr. MANN].

Mr. GOLDFOGLE. Mr. Chairman, I have a clear recollection of the amendment to which my colleague [Mr. MAHER] referred as having been ruled on during the Sixtieth Congress. The gentleman from Illinois [Mr. MANN] was in the chair. The amendment was offered by me. The question arose whether the amendment was germane, and the point of order was made against the amendment. The question arose as to whether the amendment was in order, it directing the place where one or more battleships should be built by the Secretary of the Navy, who in the bill was given discretion, as in the present pending bill he is given discretion, to build the ships; and after discussion, as the Chair will find in the Record to which my colleague a moment ago alluded, the gentleman from Illinois [Mr. MANN] then being in the chair ruled the amendment in order. The situation as then presented is no different from the situation now presented. So, upon the authority of the gentleman from Illinois, as well as upon the authority in another case that substantially presented the same phase in the succeeding Congress, I respectfully submit the amendment is germane and in order.

Mr. JONES. Mr. Chairman, I desire to direct the attention of the Chair to a ruling upon a proposition similar to this. On April 20, 1900, the naval appropriation bill was under consideration—

The CHAIRMAN. What is the section?

Mr. JONES. I am reading from section 3864 of Hinds' Precedents, volume 4:

On April 20, 1900, the naval appropriation bill was under consideration in Committee of the Whole House on the state of the Union, when Mr. J. J. FITZGERALD, of New York, offered to the provision for building new vessels the following amendment: "To be constructed under the supervision and direction of the Secretary of the Navy in such of the navy yards of the United States as are best adapted therefor."

Now, that amendment was, in substance, precisely the same as the amendment which is now offered under like conditions by the gentleman from New York. I do not think there will be any question as to that. I will continue to read:

Mr. George E. Foss, of Illinois, made a point of order against this amendment.

After debate the Chairman said:

"It appears to the Chair that the natural interpretation of the language just read by the gentleman from New York [Mr. FITZGERALD] is that under the construction of the present law by the Secretary of the Navy there is no law for building any of these vessels in the navy yards, but that legislation would be necessary in order to authorize that."

It will be observed, Mr. Chairman, that the gentleman from New York admits the same thing by this amendment. The Chair then proceeded in these words:

This is the interpretation the Chair would put upon the language which the gentleman has just read. Aside from that, however, the question now before the Committee of the Whole is whether this provision is new legislation or whether it is a limitation of the appropriation. There are several decisions to which the attention of the Chair has been called. One of them reads in this way: "Provisions that bids for the construction of naval vessels should be limited to bidders having adequate plants and not having over a specified number of vessels under construction were held to be in the nature of legislation and not a limitation."

That decision would seem to throw a good deal of light upon the question of order on this amendment, which provides that the Secretary of the Navy shall construct these vessels "in such navy yards of the United States as are at present established therefor." This would seem to be a parallel case. The Chair therefore, following the decision made in the Fifty-fifth Congress, sustains the point of order.

Now, Mr. Chairman, the gentleman from New York [Mr. FITZGERALD] appealed from this decision, and the ruling of the Chair was sustained upon a vote by tellers of 82 yeas to 74 noes. This is a ruling exactly in point, and if the Chair follows it he must hold that this is new legislation and not in the nature of a limitation.

Mr. GOLDFOGLE. Mr. Chairman, the gentleman from Virginia [Mr. JONES] failed, I am afraid, to recognize the fact that the amendment offered by my colleague [Mr. MAHER] is in precisely the same language and applied to substantially the same kind of a paragraph as the amendment which was offered by me in the Sixtieth Congress, to which I have already alluded. So that the case, as it appeared when the gentleman from Illinois [Mr. MANN] was in the chair, is exactly the same and stands on all fours with the one now presented upon the present point of order. There is not a particle or shade of difference between the two cases. The Secretary being given discretion in the bill to build the ships, it is within the power of the House to say where those ships shall be built, and so it was ruled on my amendment, and there is no distinction that can fairly be made between these two cases. It will be remembered that the amendment that was ruled in order had reference to the ship afterwards named the *Florida*. In a later Congress—I can not turn to the pages in the RECORD just now—an amendment was offered by my colleague [Mr. CALDER], which was at first ruled out, but afterwards, at a later stage, ruled in. It was practically the same in language as the amendment now offered by my colleague [Mr. MAHER]. So you have the two authorities for ruling in this amendment.

Mr. GRAY and Mr. MANN rose.

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. GRAY. Mr. Chairman, I am not a parliamentarian, and I do not claim such expert knowledge. I simply want to make an inquiry. I understand we have power in this bill to determine the number of ships; I understand that we have power to determine the size of the ships; I understand we have power to determine the type of the ships; we have power to specify the number of guns and the type of guns; we have power and authority here to incorporate a thousand modifications and variations; in fact, the full power of authorization in every phase and detail of full and complete construction. The question I wanted to ask is why this great and broad power of full authorization does not include the lesser power as an incident to the main object, to specify where the ships are to be built and how they should be manufactured and constructed?

Mr. GOLDFOGLE. And so it was held in the preceding cases.

Mr. GRAY. I was making an inquiry and waiting for some gentleman to enlighten me as to by what principle such incidental power is excluded under such full and general authority.

Mr. MANN. Mr. Chairman, I have a good deal of hesitancy in expressing an opinion on any point of order on the naval bill, because for a number of years I occupied the position of Chairman while the naval bill was under consideration, and was compelled to make a good many rulings when I thought I had the matter fresh in my mind, and I might make an argument now contrary to some of the rulings I made then. If so, I should think better of the ruling than I do of the argument.

However, Mr. Chairman, there are certain principles involved, it seems to me. The ruling is that an appropriation for a new battleship is in order because it is a continuation of a work in progress, to wit, that of building up a navy. But this item is not any appropriation at all. There is no appropriation carried in the paragraph under consideration. It is, as suggested by the gentleman from New York [Mr. FITZGERALD], who would not follow out quite the logic of his position, a pure matter of legislation, an authorization to the President to construct two battleships, like an authorization to construct two revenue cutters or an authorization to construct a public building, or an authorization to construct lighthouse tenders, the appropriation either following or being in separate items.

Now, this item is under consideration, and no point of order was made on the paragraph that fixes a limit of cost upon it; that fixes the character of it as to armor and armament; and that fixes the speed of it. I have no doubt, unless I have ruled differently, that we can proceed now and provide through legislative provisions concerning the authorization which we have given to the President. If we had a bill pending before us providing that the President might construct two revenue cutters, or four revenue cutters, plainly, as a matter of legislation, we could say that they should or should not be built in a navy yard—the same power, it seems to me, that we have here. If this item were an item appropriating \$15,000,000 or \$30,000,000 for the construction of a certain character of battleships, then that would not be legislation. The legislative provision would not be in order.

The CHAIRMAN. The Chair is compelled to admit that with him there is some doubt surrounding this proposition. However, he finds that the building of these ships is authorized. There is no direction anywhere, of which the Chair is aware,

that they shall be built by contract. Neither does the Chair know of any direction providing that they shall be built in Government navy yards. The natural supposition, however, is that if the Government is authorized to build them, the Government itself should build them if it can, and, therefore, in a Government navy yard. Being somewhat in doubt, for those reasons, the Chair overrules the point of order.

Mr. MAHER. Mr. Chairman, I wish to speak on the amendment.

The CHAIRMAN. The gentleman from New York [Mr. MAHER] is recognized.

Mr. STAFFORD. Before the gentleman proceeds, may we have the amendment read?

The CHAIRMAN. The Clerk will again report the amendment.

Mr. MURRAY of Massachusetts. And the amendment to the amendment.

Mr. MOORE. May the amendment to the amendment be read in connection with the amendment?

The CHAIRMAN. The Clerk will report the amendment, and then report the amendment to the amendment, so that the committee may have full information.

The Clerk read as follows:

Amendment by Mr. MAHER:
On page 53, line 12, after the word "each" insert the following:
"At least one of the said battleships hereby authorized shall be built and constructed at a Government yard."
Amendment to the amendment by Mr. MOORE:
Add to the amendment the following:
"Unless it shall be found that but one Government yard is equipped to build a battleship."

Mr. CALDER. Mr. Chairman, I reserved a point of order against that amendment which has just been read. I did at the time it was offered.

The CHAIRMAN. A point of order is reserved against the amendment.

Mr. CALDER. I make a point of order.

Mr. MANN. It is not subject to a point of order.

The CHAIRMAN. Does the gentleman reserve it or make it?

Mr. CALDER. I make the point of order.

The CHAIRMAN. The Chair overrules the point of order.

Mr. SABATH. Mr. Chairman—

The CHAIRMAN. The gentleman from New York [Mr. MAHER] has the floor.

Mr. SABATH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SABATH. Some time ago the gentleman from Indiana [Mr. GRAY] introduced an amendment to the amendment offered by the gentleman from New York [Mr. MAHER]. May I inquire what became of that amendment?

The CHAIRMAN. That amendment has been discussed to some extent. The Chair thought it was understood that that amendment was offered as a separate amendment.

Mr. SABATH. Would not that be in order now as an amendment to the amendment offered by the gentleman from New York? It deals directly with the subject matter.

The CHAIRMAN. It has been held that it was offered as a separate amendment.

Mr. SABATH. The gentleman from Indiana offered an amendment that both of these battleships, instead of one, should be built in a Government navy yard. Consequently it must be in order, and it is in order.

Mr. GRAY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The Chair is of the opinion—

Mr. KINKEAD of New Jersey. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KINKEAD of New Jersey. Was not the gentleman from New York [Mr. MAHER] recognized before the parliamentary inquiries were made?

The CHAIRMAN. The Chair recognized the gentleman from New York under the five-minute rule. The gentleman from Illinois [Mr. SABATH] then rose to a parliamentary inquiry, which the Chair will determine for him by the time the gentleman from New York has concluded.

Mr. GRAY. Mr. Chairman, I rise to a parliamentary inquiry.

Mr. GOLDFOGLE. Mr. Chairman, I rise to a question of order.

The CHAIRMAN. The Chair will state that business can not be transacted in so much confusion. The gentleman from New York [Mr. MAHER] has the floor and will proceed.

Mr. MAHER. Mr. Chairman, there have been some radical changes made in the Government construction of battleships during the past 10 years. Prior to 1903, when the first battleship was built in the Brooklyn Navy Yard, it had been customary for private contractors to take about three years to

build battleships, as in the case of the *Georgia* and the *Nebraska*, and they were seldom completed within contract time, which was usually exceeded by six or eight months. As compared to this, the *Connecticut*, built by the Government in 1903-4, was launched in 16 months after the keel was laid. This is an important consideration in the construction of modern battleships, considering the fact that a ship is out of date in less than 10 years and practically useless in 20 years.

A battleship costing \$15,000,000 would depreciate at that rate about a million dollars a year; so that if the Government, by continuing its policy of constructing some of its own battleships, can thereby force private contractors to reduce the time required for building from three years to one year, as at present is the case, it would be economy even if each ship built by the Government cost \$2,000,000 more than by contract.

The *Connecticut*, which was built in a navy yard, cost only about 5 per cent more than its sister ship built by private contract; and this added expense was entirely made up by the fact that the workmanship on the Government-built vessel excelled that of the other to such an extent that thousands of dollars were saved in repairs of the navy-yard-built ship, according to the records.

Much has been made of the alleged fact, by the opponents of Government construction, that the *Florida*, which was built at a navy yard, cost nearly \$2,000,000 more than its sister ship, the *Utah*, which was built by contract. However, much of this excess cost, it has repeatedly been asserted on the floors of Congress, was due to overhead charges for maintaining the navy yard, most of which would have existed whether there had been any ship at the navy yard or not; so that the costs charged to the battleship were not all caused by the building of the ship, and should not be counted as a part of its cost.

It has also been brought to our attention that contractors building battleships for the Government about that time were losing several hundred thousand dollars on their contracts, due perhaps to their efforts to discourage Government construction, knowing that if it could be shown that Government construction was much more expensive comparatively than there would be a chance of having the Government shops put out of commission, and they could go back to their old practices and recoup their losses.

Whatever the facts might be with regard to the cost of the *Florida*, the more recent efforts at battleship construction in navy yards have been toward lower costs and still faster records.

When the *Pennsylvania* was let to the Newport News Shipbuilding Co. in 1913 the bid by the New York Navy Yard was only about \$35,000 more than the bid of the concern that got the contract, and the bid of the Mare Island Navy Yard exceeded the Newport News Co. by only \$12,000; either of these differences is a mere bagatelle.

As to the relation of the navy-yard bids to the actual cost of the work, it can be cited that the cost of the battleship *New York*, which has just been completed by the New York Navy Yard, was \$659,635.41 less than the original estimate by that navy yard according to the latest facts available at the Navy Department. Furthermore, the battleship *New York* was launched in 12 months and 19 days after the keel was laid, a record that is worth much in these days of rapidly changing designs in war vessels.

It is now predicted that a battleship can be built at a navy yard in about 10 months and at less cost than formerly, unless Congress destroys the present splendid organization of its own shipbuilding establishments by failing to have battleships built there.

In order to maintain a trained and efficient force for construction work in our navy yards it is necessary to build continually, otherwise both equipment and working force will become demoralized and unable to compete successfully with the shipbuilding contractor.

Congress can assist in Government shipbuilding by making the appropriation at such a time as will enable the navy-yard officials to lay the keel of one battleship not later than two weeks after the launching of the last ship. If this method is adopted, it will prove to be a great saving to the Government. It will also provide a continuity of employment for the mechanics and laborers. At a recent meeting of the Committee on Labor the Secretary of the Navy, Mr. Daniels, stated that in his opinion the Government-built ship was the best, and he further stated that there was less repair work on the Government-built vessel.

Mr. DALE. Mr. Chairman, will the gentleman from New York yield?

The CHAIRMAN. Does the gentleman yield to his colleague?

Mr. MAHER. I have not time. Let me state these figures. Mr. DALE. Let me ask a question.

Mr. MAHER. Well, go ahead.

Mr. DALE. Is it not a fact that the Secretary of the Navy, Mr. Daniels, publicly commended the employees and attachés of the Brooklyn Navy Yard, who were instrumental in so speedily equipping the *New York* previous to her sailing down to Mexico?

Mr. MAHER. Yes; it is a fact.

From the statement received from the Navy Department it seems that the *New York* has been required to bear the expenses of everything that is a direct charge against the yard, whether it be gratuities which are created by Congress or Executive orders, or indirect charges (overhead) from which the ship was exempt. The contract was awarded to the Newport News Shipbuilding Co. to build the *Texas*, at a cost of \$5,885,695, they being the lowest bidder; in addition to the contract price \$55,000 will be added to cover the cost of changes which is being done by the navy-yard force, making a total of \$5,940,695; while the *New York* allotment was \$6,490,000, exclusive of indirect charges, both ships to be completed in 36 months.

The statement shows that the *New York* will cost \$6,956,442; included in these figures are expenditures covering \$362,218.17 for annual leave, holidays, disability, which are gratuities, having been created by act of Congress or Executive orders. The act of February 1, 1901, gives 15 days' leave of absence to all employees who have been continuously employed for one year. The act of May 3, 1908, provides that employees injured in the performance of their duties and have been absent for 15 days shall be paid their regular rate of pay that they would have received had they been employed until they are able to resume their duties. Holidays cover the payment of seven regular holidays, namely, New Year's Day, Washington's Birthday, Decoration Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day; and for the past three years the Saturday half holiday during the three summer months has been granted. It has been decided that the expense incurred by leave, holidays, and disability are not charged against a new ship, nor does it appear as a charge against any repair work, and I fail to see why it should be included in the expense of a new ship being built in the yard. This charge would exist and must exist—new ship or old ship—all work must be suspended on these days; for this reason it is a charge that should be borne by the Government at large.

Classified employees are charged with \$287,070; this is a special allotment paid out of increase of Navy pay of classified employees covering clerical and drafting expenses; this is the only place that this expenditure appears; no provision is made to charge this against any work; there is but one way that this could be arrived at, and that is by estimate or pro rata.

The greater part of the material used in the construction of a new ship is delivered on lighters and railroad cars, and is handled by laborers and riggers assigned to this work; the only expense incurred is the labor of these men and this the ship pays for directly; still if the material was handled for use in repair work, part of the cost would be charged to the ship as an overhead charge.

The construction period of the *New York* was 36 months; she was placed in commission in 35½ months, that is, April 15, and on April 26 sailed from this yard, less than 36 months, and something that has never been equaled either by private or Government yards.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MAHER. Mr. Chairman, I would like to have one minute more.

Mr. SABATH. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended two minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MAHER. Just one minute. Now, Mr. Chairman, I will discuss the charges:

INDIRECT OR OVERHEAD CHARGE.

This account shows an expenditure of \$855,430.38. This represents approximately 33 per cent of the total labor charges expended for building the *New York*. It is divided into two classes, namely, shop and general expense, and covers a large scope in navy yards.

SHOP EXPENSE

Is divided into subheads, such as supervision—that is, the masters, quartermen, leading men, planners, and progress man—repairs to shops, repairs to buildings, cleaning, repairs to hand tools, fuel, light, and power. The repairs mentioned cover,

in fact, the upkeep of shops. Some of the charges might be considered fair; still, as they cover the upkeep of the plant, this class of work would have to be done whether a ship is building or not. No shop is used exclusively for the work in connection with the building of a new ship. Tool and machine repairs should be charged against the plant.

GENERAL EXPENSE

Covers cleaning the yard. The cost of cleaning the ship is charged against the ship; that is paid for directly. Minor repairs to derricks, shears, cranes, floats, punts—that are used for mooring and docking a ship—upkeep of dry docks. What has a new ship to do with these items? It is almost 2 years before she is ready to be dry-docked; for 14 months she is being built on the ways. How can she be charged with any of the general items? All the ship wants is space enough to be built. The bulk of her work is done in close proximity to where she is lying, and this applies to her whole construction period. She not only bears her own burden—that is, the supervisors that have charge of her building—but a large part of the expense of the yard, as these figures are based on productive labor of the entire yard. Take, for example, when the yard is full of ships undergoing repairs; she has to saddle part of their expense. As a further illustration, with no work in the yard other than a ship being built on the ways, she would be required to carry the entire expense of the yard, with the result that overhead charges would almost be equal to the direct charge.

For the purpose of comparison the following is quoted:

Ship.	Length.	Keel laid.	Launched.	Time to launch.
	Feet.			Months.
Connecticut.....	456	May 10, 1903	Sept. 29, 1904	16
Florida.....	521	Mar. 9, 1909	May 12, 1910	14
New York.....	573	Sept. 11, 1911	Oct. 30, 1912	13

Note the size of the ships and the length of time required to launch. This is but one of the many instances that proves that the *New York* is a record ship.

Total expenses of the <i>New York</i> as reported.....	\$6, 056, 442. 55
Less leave, holiday, and disability.....	\$392, 218. 17
Classified employees.....	287, 070. 00
Indirect.....	855, 430. 38
	1, 534, 718. 55
Charge all clerical force.....	287, 070. 00
And 40 per cent of indirect.....	342, 172. 00
	629, 242. 00
	6, 050, 968. 00

If we deduct pay for holidays and half holidays, it will be demonstrated that the *New York* cost no more than its sister ship the *Texas*. We should take into consideration the fact that the *Texas* is now in the New York yard receiving a general overhauling. The work done at a private yard is being torn out of that ship, and the mechanics in the yard are installing new apparatus. They had to tear out the fuse boxes overhead and put them in the bulkhead to prevent the possibility of an explosion in the ship, which could be brought about by a mechanic reaching up to the fuse box and thereby creating an arc and causing serious damage, and perhaps blowing up the ship without anybody firing a shot at her.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MANN. I ask unanimous consent, Mr. Chairman, to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BROWNING. Mr. Chairman, there is only one navy yard in the United States that is equipped to build these large battleships, and that is the Brooklyn yard.

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

Mr. BROWNING. Yes.

Mr. CALDER. Can not the Mare Island Navy Yard?

Mr. BROWNING. No; not a battleship. A large vessel can be built there, but not a big battleship.

Mr. CALDER. I think it can build a battleship. I beg the gentleman's pardon.

Mr. BROWNING. Now, Mr. Chairman, the Brooklyn Navy Yard has just laid the keel of battleship No. 39, and in my opinion that ship can not be launched before April, and probably not before June, of next year.

Mr. Chairman, there is another consideration to be taken into account in building these ships in navy yards, and that is the

quality of the work in construction. I have been told by prominent Navy officers that there are no better ships built than those constructed by the New York shipbuilding plant, located in my city, and I have no reason to doubt but that the Newport News Shipbuilding & Dry Dock Co. can build just as good ships.

Now, I want to put some figures in the RECORD that are official, accompanied by a statement that is official, contained in a letter written by Admiral Watt, Chief of the Bureau of Construction.

On the *New York*, which has just been finished in the New York Navy Yard, for labor there was expended on the hull \$1,902,817.26; on machinery, \$671,078.63; a total of \$2,573,895.89.

The cost of the material on the hull was \$1,654,399.51; the cost of material for machinery was \$1,164,498.00, a total of \$2,818,898.11.

The indirect charges on the hull were \$641,567.52 and on the machinery \$213,862.86, a total of \$855,430.38.

Now, here comes a remarkable item. The amount of money that was paid for leave to mechanics and workmen amounted to \$174,911.73, and for holidays \$177,227.40; the amount paid for leave and holidays of classified employees in the construction of the *New York* amounted to \$28,930; a total for leave and holidays of \$381,069.13.

The disability charges amounted to \$40,079.04. The total cost to the Government by reason of construction of this battleship in a navy yard, exclusive of armor and armament, was \$6,956,442.55.

The *Texas*, sister ship of the *New York*, which was built by contract at Newport News, cost \$5,830,000, a difference in favor of the battleship *Texas* of \$1,126,442.55.

Now, I have another very striking illustration. The cost of U. S. battleship *Florida*, built by the Government in the New York Navy Yard, was as follows:

For labor on hull, \$2,197,478.41; labor on machinery, \$670,734.68; a total for labor of \$2,868,213.09.

Indirect charges on hull, \$751,013.98; indirect charges on machinery, \$222,270.05; a total of \$973,284.03.

Cost of material on hull, \$1,286,047.13; cost of material for machinery, \$1,167,592.80.

The total cost of the hull was \$4,234,530.52, and the total cost of the machinery was \$2,060,597.53, making the total cost of the ship, exclusive of armor and armament, \$6,295,137.05.

Her sister ship, the *Utah*, built under contract in the Camden (N. J.) yard, cost \$4,018,930.80. The cost of the work performed by the Government, after delivery, on account of changes and improvements, was \$126,297.54. The total cost of the *Utah*, exclusive of armor and armament, was \$4,145,228.34.

The battleship *Florida*, the sister ship of the *Utah*, built in the Government navy yard at Brooklyn, cost \$2,149,908.71 more than the *Utah*.

Gentlemen, as I said the other day in some remarks that I made, we need our navy yards with their splendid equipment and magnificently trained artisans and workmen, but we also need the efficient and prompt service rendered by the private establishments.

Now, I do not understand the position of my friends on the other side of the House, or those who wish to build these vessels in Government yards. They are pledged to economy, and there is no economy in building a ship in a Government yard. They cost anywhere from \$1,000,000 to over \$2,000,000 more than ships built in private yards.

Mr. GOULDEN. I should like to ask my friend from New Jersey whether he does not consider the construction done in Government yards as superior to that done in private yards?

Mr. BROWNING. I do not; and every naval officer I have ever talked to has told me there was no ship ever built that was better constructed than the ships built in the Camden (N. J.) yard.

Mr. GOULDEN. Is not that the opinion of naval authorities, that the Government-built ships are better?

Mr. BROWNING. It is not. Those with whom I have talked on the subject are naval experts. The only opinion I have ever heard expressed to the contrary was that of the Secretary of the Navy, Mr. Daniels.

Mr. GOULDEN. He is a good man.

Mr. BROWNING. He is a very good man. I have nothing to say against him, personally, but I think he is mistaken.

Mr. FITZGERALD. Mr. Chairman, 13 years ago I commenced the agitation in this House to utilize the Government establishments for the construction of vessels for the Navy. At that time the proposition was opposed, on the ground that the Government yards were inadequately equipped; that the cost would be greater; and, as asserted by a distinguished Member of the other House, that if a battleship were ever laid down in

a navy yard, he did not expect to live to see the day it would be finished.

In the second session of the Sixty-second Congress—the last Congress—we authorized the construction of two battleships—the *Texas* and the *New York*. The *Texas* was put under contract with the Newport News Shipbuilding Co. The *New York* was assigned to the New York Navy Yard. The *Texas* was commenced three months earlier than the work was commenced on the *New York* at the navy yard. Last week the *New York* sailed for Mexican waters, fully equipped, ready to participate in whatever events may transpire there. The *Texas*, built by the Newport News Shipbuilding Co., is now in the New York Navy Yard being finished, after the constructor has completed his work. [Applause.]

When Government yards were first utilized for the construction of battleships, contractors took from 36 to 40 months in excess of the contract time in which to complete them. Now, vessels authorized for the Navy, because of the keen competition of the Government yards, are completed within the time fixed by contract. Investigations conducted during a series of years demonstrate that we manufacture powder for the Army and for the Navy more cheaply than we can purchase it. We manufacture all kinds of equipment, large and small arms, more advantageously than they are purchased, and yet it is continuously asserted that in the construction of ships the cost in a Government yard is much in excess of the cost in a private establishment. The truth is, and it is a notorious fact, that for many years it was impossible for Congress to ascertain just what it was costing to build ships in Government yards. By the system of cost accounting previously in vogue, items of every description that should have been charged against the maintenance of the yard, whether there were ships under construction or not, were charged to the cost of the ships, while the yard maintenance was relieved from much expense.

I have never advocated, and I do not believe it to be wise policy, as the facts have demonstrated, to build all the ships authorized for the Navy in Government yards. But I believe that a fair share of them should be built there. I believe that we have authorized nearly \$500,000,000 for ships for the Navy, and about \$35,000,000 of that amount has been expended in Government yards. It seems to me that it can not be claimed that such a sum is an unfair proportion to spend in utilizing the Government's own plants, equipped and maintained at an enormous cost, and which, if not utilized for the construction of ships, will be permitted to remain practically idle for the benefit of the private establishments.

Only 10 days ago, Mr. Chairman, I attended a banquet in this city of the Society of American Naval Engineers. Mr. Homer Ferguson, formerly a constructor in the Navy, now the business manager of the Newport News Shipbuilding Co., made a very instructive speech, and in insisting that the private yards should be given opportunity to do Government construction he pointed out that there would be no difficulty in replacing a plant, that there would be no trouble to replace equipment, but that a personnel built up by years of effort once dissipated could rarely, if ever, be brought together again. The New York Navy Yard for the last 12 years has been engaged in Government construction. Built there were the *Connecticut*, the *Florida*, the *New York*. The keel of battleship No. 39 has just been laid down. If it be good business for private establishments to retain skilled and efficient men, it is equally advisable for the Government to do so. The Government should keep together in its own interest the force of skilled mechanics gathered from all parts of the country and welded into an efficient, economical organization. No private establishment would think for a moment of dissipating such a force and why should the Government, why should Congress permit it to be scattered and picked up by private constructors to the disadvantage of the Government? [Applause.] Such action would be indefensible. I hope the amendment will be adopted.

Mr. ROBERTS of Massachusetts. Mr. Chairman, I desire to offer a substitute for the amendment of the gentleman from New York and the amendment offered by the gentleman from Pennsylvania.

The CHAIRMAN. There is one substitute already pending, but the Clerk will read the gentleman's amendment for information.

The Clerk read as follows:

Page 53, line 12, insert: "At least one of the said battleships hereby authorized shall be built and constructed at a Government yard, said yard to be designated by the Secretary of the Navy, and the sum of \$200,000, or so much thereof as may be necessary, is hereby appropriated to equip the navy yard so designated with the necessary building slips and equipment for the construction of said battleship."

Mr. JONES. To that, Mr. Chairman, I make a point of order. The CHAIRMAN. It is not offered now. The Chair permitted it to be read for information, as there is already a substitute pending.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that the debate on the amendment offered by the gentleman from New York [Mr. MAHER] and the amendment offered by the gentleman from Pennsylvania, and substitutes thereto, may close in 25 minutes—the gentleman from California [Mr. CURRY] to have 5 minutes, the gentleman from New York [Mr. CALDER] to have 5 minutes, and the gentleman from Virginia [Mr. JONES] to have 10 minutes, and I to have 5 minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate on this paragraph and amendments close in 25 minutes, the time to be disposed as he has indicated. Is there objection?

Mr. RAGSDALE. Reserving the right to object, Mr. Chairman, I want to ask the gentleman from Tennessee what is the relative cost of a battleship constructed in a navy yard and one constructed in a private yard?

Mr. PADGETT. It costs more to construct one at the navy yard, but if the gentleman will listen to what I have to say I will give him an answer more in detail.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CURRY. Mr. Chairman, we have two navy yards fully equipped and manned to construct a dreadnaught. One is at Mare Island and the other at New York. The Mare Island yard has not as yet constructed a battleship, but we hope in the near future to have one to build. If we do, we will build a ship which will be a credit to the yard and the pride of the Nation. That Mare Island has an adequate equipment is shown by the fact that two years ago the yard was inventoried and appraised at nearly \$12,000,000.

The agitation for building Government ships in Government yards was started in the city of Vallejo in the year 1900. Vallejo is the home city of the employees of the Mare Island Navy Yard. Mr. Roney and Mr. Campbell were the leaders in that agitation; they carried on a Nation-wide propaganda of education. The idea was bitterly opposed and fought, not only by business interests but by a number of newspapers, and conscientiously by some officials.

At that session of Congress Admiral Bowles appeared before the Committee on Naval Affairs of both Houses of Congress and stated that it would take a year longer and cost a million dollars more to construct a battleship in a Government yard than it would to construct it in a private yard. He was wrong, honestly and conscientiously wrong. The result of that fight was that the *Connecticut* was built in the Brooklyn yard and the *Louisiana* at Newport News. The *Connecticut* did cost a little more money than did the *Louisiana*, but the money saved since that time by less repairs being required on the navy-yard built ship has more than made up the difference in the original cost.

Mr. JONES rose.

Mr. CURRY. I can not yield, for I have not the time. While we have constructed no battleship, we have built all kinds of other ships. We built the colliers *Intrrepid*, *Prometheus*, and the *Jupiter*. The *Jupiter* has only been recently constructed. She is the largest electrically propelled craft in the world, being 542 feet long. All the ships built at Mare Island have been awarded in competition with private and public yards. We have underbid the private yards and other navy yards for every ship assigned to us, and we have always built them within the estimates and the appropriations and have never had to come to Congress for a deficiency.

Recently the two gunboats *Monocacy* and *Palos* were built at Mare Island. The *Monocacy* was built for \$80,000 less than the appropriation and \$18,597.10 less than the estimate. The *Palos* was built for \$125,000 less than the appropriation and \$6,000 less than the estimate. I believe it is good business judgment to equip the yards for battleship-building work. The opportunity for the yards to bid against private yards has saved the Government a great deal of money, even when the contracts went to the private yards, because it has reduced the bids of the private yards to such an amount that there has only been a reasonable margin of profit for the contractor. I would like to see both of the ships provided for in this bill assigned to Government yards, although I do believe that it is good governmental policy to encourage private yards by giving them some of the ships to build—perhaps later on, when we have three to build instead of two. But the battleships provided for in this bill should both be constructed at Government yards. Capt.

Bennett, the commandant, and his predecessor, Admiral Mayo, have both officially stated that Mare Island is equipped to construct a battleship.

Mr. JONES. Mr. Chairman, there are two amendments pending, one providing for building one battleship at a Government yard and the other, in the nature of a substitute, providing for the building of both ships at Government yards. Mr. Chairman, it may be as well to state in the beginning that if it should be decided that both ships are to be built at Government yards they will never be built, since it is a fact, known to every gentleman on the floor of this House who is familiar with the subject, that there is only one Government yard in the United States, and that the Brooklyn yard, which is equipped to build the battleships provided for in this bill.

Mr. Chairman, on the 16th day of March last the keel of the battleship *No. 39* was laid at the New York Navy Yard. It was stated by the commandant of the yard, Admiral Gleaves, on that occasion in a speech to the employees, that this battleship could be launched in 10 months. I have a letter from Admiral Watts in which he informs me that, judging from the rate of progress made on the *New York* battleship, *No. 39* should be launched about May 1, 1915.

I am further informed by competent judges who have had wide experience in the construction of battleships that *No. 39* can not be launched earlier than July 1, 1915, and I have no idea that she will be. Nobody can attach any importance to the statement of Admiral Gleaves made amid the environment and in the circumstances under which he spoke. Moreover, Admiral Gleaves is not a naval constructor; but, on the contrary, a nontechnical man who possesses no special knowledge of shipbuilding. The naval constructor and the engineer officer who built the *New York* and who are building *No. 39* have never, I venture to affirm, made such an absurdly preposterous statement as that attributed to Admiral Gleaves. Their opinions would be worth something, and if they agreed with Admiral Gleaves we should be quickly told so.

If, then, it shall be decided that one ship is to be built at a Government yard, it will mean that only one of the two battleships provided for in this bill will be built within any reasonable period.

A good deal has been said about the relative cost of constructing ships in Government yards and in private yards. A gentleman a few moments ago asked what was the difference in this cost. May I say to him that nine ships all told, up to this time, have been constructed in Government yards, and that those nine ships cost the Government \$7,799,000 more than the aggregate of the responsible bids made by private yards for the building of those ships.

Mr. Chairman, much has been said also about the *New York* and the *Texas*. These are sister ships, built from the same drawings, and, by the way, the drawings were made by designers at the Newport News private yard which built the *Texas*, at a cost of \$237,000. This private yard was required to furnish the designs and detail plans which cost it this large sum to produce to the New York Navy Yard, to be used in the construction of the *New York*. The New York Navy Yard paid the Newport News Shipbuilding & Dry Dock Co. for copies of all their important drawings, including the designs and detail plans of which I have spoken, just \$3,248.75. Had the Government paid for these drawings and plans what they actually cost the Newport News private yard, the cost of the *New York* would have exceeded that of the *Texas* by more than a million and a third dollars.

I hold in my hand a letter addressed to me by the Secretary of the Navy on the 13th day of April last, in which he gives the total cost of the *New York* to the Government as \$6,956,000 in round numbers. Please remember that this is the ship the gentleman from New York [Mr. FITZGERALD] has been telling us of. The Newport News Co., under contract, built the sister ship, the *Texas*, for \$5,830,000, or more than a million dollars less than the Government built the *New York* for. Yet gentlemen from New York ask that this ship be constructed in a yard which is equipped with only one building way, and that building way now occupied by battleship *No. 39*, which will not be launched, in all probability, before the 1st of July, 1915. Until it is launched the keel of no other battleship can be laid at that yard.

Mr. Chairman, in view of these facts will this body deliberately vote to build this ship in a yard which can not lay its keel, according to the statement of the Chief of the Bureau of Construction and Repairs, for a year from this time? The gentleman from New York [Mr. MAHER] and the gentleman from California [Mr. CURRY] have both made statements which are absolutely incorrect and which the gentleman from California would not permit me to correct whilst he had the floor. These

gentlemen both said that whilst the original cost of Government-built ships was larger than that of contract-built ships, the repairs to the private-built ship cost more than the repairs to the Government-built ship, and both of them instanced the *Connecticut*, built at the New York Navy Yard, to prove their statements. I recently addressed a letter to Admiral Watt and asked him to give me the facts in regard to this. I asked him to tell me what had been the amount expended for repairs on the *Connecticut* and what had been the amount expended for repairs on the *Louisiana*, the sister ship to the *Connecticut*, built at the Newport News yard. I have his letter here. It is dated April 1, 1914, and in it he says that the repairs, commencing in 1906 and running down to March 15 of this year, upon the *Connecticut* amounted in all to \$917,610.06, whilst those on the *Louisiana* for the same period amounted to \$885,915.75. These are the exact figures, and they show that the *Connecticut* has cost the Government more for repairs than has the *Louisiana*. And yet gentlemen stand here and state that the contrary is true, although they offer no proof to sustain their unfounded statements. It not only cost the Government over a million dollars more to build the *New York* than it cost to build her sister ship, the *Texas*, but it has cost more to repair Government-built ships than it has to repair private-built ships. There can be no question as to the correctness of my figures, because I obtained them from the highest official sources. Gentlemen who speak for the New York Navy Yard can produce nothing to sustain their contention. They make their statements in the face of accurate and absolutely reliable figures, furnished by the Navy Department.

Mr. Chairman, something has been said about the *New York's* having gone to Mexico, whilst the *Texas* is at the New York Navy Yard. I wish to say as to this that if the *Texas* is at the New York yard she is there because the Secretary of the Navy ordered her there to receive certain additions to her equipment not named in the specifications under which she was constructed. For instance, there are certain engineering hatches and some changes in the magazines which the Newport News company was never asked to make. Then, turret sights are being installed and bore sighting of guns done, all of which is work which the Government always does and which it will not permit any private contractor to do. It is to have this work done that the *Texas* has been sent to New York, and any intimation that work done on her at Newport News was not done according to the specifications under which she was built is not true.

The *Texas* has had her test trial, and it was a severe one. She has been accepted conditionally, as are all contract-built Government ships.

The *New York* has never had her engines tested in any trial trip, and she is not complete to-day and will not be for two months to come, notwithstanding she has left the yard. There never has been a battleship built that it did not require at least two months to complete after she had been commissioned, and the *New York* will prove no exception to this rule.

I may also state in this connection that the Government requires a cash guaranty from all contract builders of Government ships. It retains for 6 months and 10 days after the first test trial has been made \$100,000 of the contract price of every contract-built battleship, in order to cover any undiscoverable defects that may develop in that time. So much for the unwarranted assumption and baseless insinuations in regard to the *Texas*. She cost more than a million dollars less than the *New York*, and she is certainly as good if not a better ship.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Mr. Chairman, may I ask that the arrangement made a little while ago may be amended so as to have an extension of five minutes?

The CHAIRMAN. Is there objection?

Mr. PADGETT. I was going to say the gentleman had momentarily stepped out of the Chamber, and I had overlooked the fact that he was the author of the amendment which is pending, and I neglected to include him. I now ask that debate be extended for five minutes and that time be given the gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and it is so ordered.

Mr. CALDER. Mr. Chairman, those of us who advocate the building of battleships in navy yards have no quarrel with the gentleman from Virginia [Mr. JONES]. He represents the Newport News Shipbuilding district, and, like the good Representative he is, is here opposing the building of ships in navy yards, and if he succeeds hopes that the Newport News Shipbuilding Co. will get its share of this work. Much has been said whether the Brooklyn yard can build this vessel if this amendment is agreed to. There is no doubt of it. The keel of battleship *No. 39* was laid on the 16th day of March,

1914, and the naval constructors of that yard tell me that she will positively be launched inside of 12 months, and they maintain they are correct in this because the battleship *New York*, now in Mexican waters, was launched within 13 months after her keel was laid. They say they are in a state of preparedness, with everything ready, and there is not the slightest doubt that on the 15th of next March battleship No. 39 will be in the water.

I maintain that the policy adopted by Congress 13 years ago under the leadership of the gentleman from New York [Mr. FITZGERALD], the gentleman from Massachusetts [Mr. ROBERTS], and the gentleman from California [Mr. J. R. KNOWLAND] in building part of our naval program in a Government navy yard has been a very wise one. Previous to the construction of the *Connecticut* at the Brooklyn Navy Yard, in 1904, it took from four to five years to build a battleship of 15,000 tons by contract and at a cost in some cases as high as \$350 a ton. Since Congress has insisted that the Navy Department build some ships at Government yards, the time consumed for construction has been reduced to three years—a saving in time of two years, and in view of the deterioration in value of a battleship a saving in money to the Government of \$1,000,000 on each ship. I have referred to the cost per ton of building ships by private contract under the old conditions, but with navy-yard competition and an eight-hour restriction the Newport News Shipbuilding Co. built the *Texas* for \$218 a ton—a saving through this competition, as against the old price, of nearly \$2,000,000. Permit me to lay before the committee a comparison of the cost and time consumed in building the battleships *New York* and *Texas*. These ships are of 27,000 tons displacement. For the building of the *New York* 36 months was allowed from May 1, 1911, when her keel was laid. She was finished and on her way to actual service April 26, 1914—5 days less than the 36 months specified. The construction of the *Texas* began December 17, 1910. Under the terms of contract with the Newport News Shipbuilding Co. she should have been delivered December 17, 1913. She was not delivered to the Government until March 4, 1914, and is still at the Brooklyn Navy Yard having her gun sights installed and otherwise being prepared for service. She will not be ready to go to sea until May 12, making a total of five months' time consumed more than the *New York*, constructed as she was at the Brooklyn Navy Yard.

We are willing to stand or fall on the record of these two ships in matter of time consumed in construction, cost of the two ships, and the real value of the respective vessels.

It is not disputed that the contract-built ship took five months longer to complete for actual use. As to the relative cost: In the naval bill of June 24, 1910, two battleships were authorized of 27,000 tons displacement, at a cost of not exceeding \$6,000,000, each exclusive of armor and armament, and on an amendment offered by me the Navy Department was directed to construct one of these battleships at a navy yard. At the following session the department submitted estimates to Congress which indicated that it would cost a great deal more to build at the navy yard, and sought to repeal the provision requiring the building of one of these battleships at a Government yard. In this they were unsuccessful, and Congress increased the limit of cost of the Government-built ship from \$6,000,000 to \$6,400,000 and provided that the latter amount should be exclusive of overhead or indirect charges. Mr. Chairman, in view of the attitude of the department at that time the letter I have in my hand from Chief Naval Constructor Watt is very interesting. Now, the facts are it was entirely unnecessary to increase the limit of cost of the Government-built ship. In this letter the figures show that, exclusive of the indirect or overhead charges and armor and armament, the battleship *New York's* cost to complete was \$5,392,794, over \$1,000,000 less than the limit of cost fixed by the act of March 4, 1911, and \$659,635.41 less than the estimate of the department for the construction of this vessel and \$557,901 less than the actual cost of the sister ship *Texas*, built by the Newport News Shipbuilding Co., the contract price of which was \$5,885,695, with the additional expenditure of \$55,000 for work performed at the Brooklyn Navy Yard.

As to the relative value of these two ships, permit me to pay my respects to the magnificent battleship *Texas* and to say to the gentlemen from Texas in this body: It is a ship worthy the greatness of your State; if ever put to the test, I am certain it will shed glory on the name it bears. I have examined every part from hold to the upper deck while she lay at the Brooklyn Navy Yard receiving the final finishing touches which that great yard put on her after leaving the hands of her builders; and across the pier lay the *New York*, the flagship of Admiral Winslow, easily the finest ship in the American

Navy, complete in every detail. I was present at her launching; built at the navy yard at Brooklyn by American workmen under living and humane conditions, and, as I stated a moment ago, for over one million less than the limit of cost and for \$659,000 less than the department's estimates. Have you read what the Secretary of the Navy said of this vessel, as printed in the Brooklyn Daily Eagle recently:

"The celerity and promptness with which the Brooklyn Navy Yard prepared the dreadnaught *New York* on such short notice," said Secretary Daniels, "was striking proof of the efficiency and preparedness of that yard for any emergency. It is also an answer to objections that the navy yards can not build ships as well as private yards and have them ready. It may be cited that the *New York*, built at the Brooklyn yard, was put in condition to go to sea earlier than the *Texas*, built at a private yard. When the *New York* left the Brooklyn yard she was splendidly equipped, and is another evidence of the efficiency of navy-yard construction."

The battleship *New York* left the harbor of New York for Mexican waters on Sunday morning, April 26. I knew of her intended sailing and watched her from the Brooklyn Bridge as she turned her head majestically down the East River and sailed out to sea. The people of New York City were proud; she carried the flower of our youth in her crew, and we were confident if called into action fresh from our workmen she would give a good account of herself.

Those of us who have argued in favor of building some of the battleships at the navy yards have maintained that it kept them in a state of preparedness in case of emergency; this was never better exemplified than in the past few weeks in the navy yard at Brooklyn. We were completing the *New York* and were busy laying the keel of battleship No. 39, having employed on these two ships over 1,500 men. There was at the yard undergoing repair and alteration the *Texas*, *Washington*, *North Dakota*, and supply ship *Celtic*, when orders came from Washington to get these vessels ready for sea. Work was temporarily suspended on No. 39, and the entire well-organized and efficient force of men was put to work getting these other ships prepared. The work was completed, and the *New York*, *Washington*, *North Dakota*, and supply ship *Celtic* are to-day with the fleet in Mexican waters and the *Texas* will leave by May 15.

As a further reason for the adoption of this amendment let me call the attention of the committee to the battleship *Pennsylvania*, now being constructed by the Newport News Shipbuilding Co. for \$7,275,000. This vessel is 31,400 tons displacement, and is the same size as battleship No. 39, now being constructed at the Brooklyn Navy Yard, which yard estimated to build her for \$7,303,000, or only \$28,000 more than the bid of the Newport News Co.; and I am reliably informed by a very prominent officer of the Navy that this sum will be reduced by over \$500,000 as a result of the competition obtained by the department for the material to be used; so that battleship No. 39 when completed will cost nearly \$500,000 less than the price paid the Newport News Co. for the *Pennsylvania*. The navy yards are now competing with the private yards on more equal terms than in the past. Formerly the private yards worked 10 hours per day and the navy yards worked 8 hours; now both work 8 hours. It is true that a little better wages are paid by the Government than the contractor and that the men work under better conditions, but with this incentive to work and the improved machinery installed by the Government we are able without difficulty to compete as to cost and excel both as to time required and the character of the ship.

The two battleships authorized under the paragraph just agreed upon are to be known as Nos. 40 and 41 and will be 32,000 tons displacement, and the limit of cost, exclusive of armor and armament, is fixed at \$7,800,000. There is not the slightest doubt that if this amendment providing that one shall be built at a navy yard is agreed to that it can be built within the contract time and the limit of cost, and that every naval expert will agree that it will be a better ship than one built by contract at a private yard.

The great navy yard at Brooklyn is proud of its achievements. We have built there in the past 10 years the battleships *Connecticut*, *Florida*, and *New York*, the finest of their respective classes in the American Navy; the great collier *Vestal*, and have under construction battleship No. 39, which will be launched, so the commandant, Capt. Gleaves, states, before the end of the year, and we will then be ready to be given the building of one of the two battleships just authorized as soon as her plans are ready.

Mr. Chairman, the people of Brooklyn are proud of their skilled mechanics that have made it possible for us to produce these great warships. We are part of the great metropolis of the Nation, and the patriotic impulses of the people of our city have been moved by witnessing the building and launching of these vessels. We thank the House for extending us this consideration in the past and ask for a favorable vote on

this amendment, so that we may continue to reflect credit on our city and the country in the matter of building ships for the American Navy.

When the section authorizing the building of two battleships was acted upon this afternoon I voted for it, and have during my 10 years of service in the House always voted to build two battleships a year. I am in favor of continuing the program of building two battleships a year for at least the next six years, unless an international agreement can be obtained by the great maritime powers that they shall gradually reduce their naval armament. Previous to the Spanish-American War this country was so situated that we did not need to compete in the matter of the size of our Navy with Great Britain, Germany, Russia, France, and Japan, but the result of that war, bringing to us Porto Rico, Guam, the Philippine Islands, and Hawaii, and since then the building of the Panama Canal, compelled this Nation to maintain a first-class Navy at the highest state of efficiency. The preparedness of the Navy in its occupation of Vera Cruz only a few days ago—which occupation, in my judgment, will do more ultimately to settle the Mexican question without further loss of life—was simply an evidence of the necessity of this country being constantly prepared not to destroy nations and men but to help preserve the peace of the world. And so, Mr. Chairman, I am in favor of the program recommended by the Naval Committee.

I know that the amount carried—\$140,000,000—is considerable; but when you stop to think of the fact that there are more chauffeurs running automobiles in the State of New York alone than there are men in the United States Navy, and that it cost more last year for the rubber tires on the automobiles used in the United States than it did to conduct the entire Navy, including the building and repair of ships, it can readily be seen that we are not going beyond our ability to maintain this Navy. We are now a world power. We are the strong Nation of the Western Hemisphere. Nothing else will do more to maintain the peace of this hemisphere—and, in fact, the peace of the entire world—than the United States maintaining a navy strong enough to compel every other nation on earth to observe peace. When the time comes, and I hope it will, to call a halt on the further extension of our Navy, I will be one of those who will add my voice and vote to that end; but that time, Mr. Chairman, has not yet arrived.

I think it fitting that I should insert in these remarks some observations on the youth of Brooklyn who were the first ashore at Vera Cruz, Mexico, on April 21, in answer to the call of duty, and who fell on that day and the succeeding day. Two of them—John F. Schumacher, coxswain, of 161 Harmon Street, Brooklyn, and Albin Eric Stream, ordinary seaman, residing at 227 Sixty-seventh Street, Brooklyn—laid down their lives for the honor of the flag, and Arthur Berstein, seaman, 30 Thatford Avenue; Eugene J. Grey, ordinary seaman, 73 Devoe Street; George G. Craig, ordinary seaman, 556 Hamburg Avenue; Charis D. Cameron, ordinary seaman, 108 Doscher Street; John L. Bennett, coxswain, 167 Sands Street; Hugh Aloysius Boyle, ordinary seaman, 235 Concord Street; and Frederick Nanz, ordinary seaman, 463 Himrod Street, were wounded in that conflict. These nine young men knew no fear. They were, like every other soldier and sailor, enlisted for whatever service they were called upon to perform. Their example is an inspiration to every other young man of our great city; and, while we sympathize with their families and express the hope that the wounded will soon recover, we know their names will go down in the history of the Navy as Brooklyn's contribution to the furtherance of peace and civilization of benighted Mexico, torn and rent by civil strife; soon, I hope, to be restored to peace and prosperity.

Mr. MOORE. Mr. Chairman, the amendment offered by me is intended to accentuate the fact of the consolidation of Federal shipbuilding in one navy yard.

Incidentally all of us do the best we can for our localities, and I suppose a Member of Congress who does not stand up for his city or for his district falls short of being a Representative. For that reason I intend to commend the gentlemen from New York for their splendid presence this afternoon when the question of the Brooklyn Navy Yard is involved. They are here, Democrats and Republicans alike, firm and united. Indeed, the fact that they are here so solidly and on time is worthy the attention and, I would venture to say, the approval of our official timekeeper from Connecticut [Mr. DONOVAN]. [Laughter.]

But the fact is that the Brooklyn Navy Yard is the only navy yard equipped to build a battleship. Now, it has been so since I have been a Member of this House, and each time the naval bill has come here attention has been called to it. I do not envy

Brooklyn or New York. I admire their splendid delegation and the force and energy they put into a movement of this kind. I hope they will get what they want.

Mr. DONOVAN. Will the gentleman yield?

Mr. MOORE. Yes; I will yield to the official timekeeper from Connecticut for a question.

Mr. DONOVAN. Will you not admit that you have been as faithful and earnest and painstaking when matters pertaining to Philadelphia have come up in the House as almost anyone else? You will admit that, will you not?

Mr. MOORE. That is true.

Mr. DONOVAN. You will admit when it came to putting a finger in the pork barrel for Philadelphia you were there?

Mr. MOORE. That may be true.

Mr. DONOVAN. And everybody knows they are not always present except when the pork barrel is around. I do not want it to go abroad that the Member from Philadelphia is ever absent when the pork barrel is passed around.

Mr. MOORE. I am glad to have the gentleman make that speech. I will have it printed and circulated throughout my district as a tribute to the activity of the "gentleman from Pennsylvania." And if the gentleman from Connecticut was more active in getting "pork" for Connecticut, to improve his rivers up there, he would be more popular with his own constituents. Sometimes in his criticism of others he forgets to do justice to himself.

Now, it is a good thing for New York to get together. It is a fine tribute to organization for these men to stand shoulder to shoulder and put another ship in the Brooklyn Navy Yard, which is already bulging out with battleships and has no room for more.

But, Mr. Chairman, the whole profession of the party in power is against monopoly. You crowd out private shipbuilding concerns because, as you charge, they effect a combination. You interfere with the work of the men employed by these companies because, you say, they monopolize the work, and yet year after year, even after your attention is called to it, you come along and vote everything you have the power to vote into one navy yard. It is said there is another navy yard equipped to build battleships. It is said that Mare Island is so equipped. That statement does not seem to be borne out by the facts.

Mr. FITZGERALD. Will the gentleman yield?

Mr. MOORE. I will yield.

Mr. FITZGERALD. The present Democratic Secretary of the Navy is the only Secretary of the Navy who ever awarded a vessel to be constructed in the League Island Navy Yard.

Mr. MOORE. And the Democratic Congress passed an act which solemnly bound him to do it, but now you fail to give the Philadelphia Navy Yard the ways on which to build the ship. You have put the ship up in the air and told us to go there and build it. The gentleman from New York knows how ridiculous that is. He is faithful and loyal to his party, and I am going to ask him to vote for an amendment I shall offer later on to stand by the law that he himself helped to pass in this House.

Now, Mr. Chairman, if there are two navy yards equipped to build battleships, there is nothing to fear from the passage of my amendment. If the one at Mare Island is so equipped, as the gentlemen from California contend, then there will be Government competition in the building of battleships the moment this amendment passes. But so long as you continue to sit here and vote that each battleship shall be built in a navy yard, and you refuse to other navy yards the means to build battleships that you give to Brooklyn, just so long will you maintain a governmental monopoly at Brooklyn, which is as much a monopoly in its way as any private monopoly against which you complain. [Applause.]

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

Mr. MOORE. That is all, Mr. Chairman.

The CHAIRMAN. The question is on the adoption of the amendment.

Mr. PADGETT. Mr. Chairman, I am not going to attempt to make a speech. I simply want to make a plain statement to the membership of the House.

I am not opposed to the development of our navy yards and to giving them all the work that they can properly and legitimately transact. I have a letter here, which I will put in the Record for information, coming from the Secretary of the Navy, with reference to the cost, up to the present time, of the two sister ships, the *New York*, built in the navy yard at Brooklyn, and the *Texas*, built in a private yard. It shows that the amount expended, as shown by this itemized statement, is

\$1,040,000 more upon the *New York* in the Government yard than upon the *Texas* in the private yard. Here is the letter:

NAVY DEPARTMENT,
Washington.

Subject: Cost of battleships *Texas* and *New York*.

MY DEAR MR. PADGETT: I. Referring to your letter of the 17th instant, requesting certain data relative to the cost of battleships *Texas* and *New York*, in reply to which the department, in its letter of March 21, 1914, stated that it was necessary to obtain certain of the desired detailed information on the *New York* from the navy yard, New York, there is given below such of the data requested as have been furnished to date by the New York Navy Yard relative to the cost of battleship *New York*, exclusive of armor and armament:

	Hull.	Machinery.	Total.
Labor:			
Expended to Mar. 1, 1914.....	\$1,825,308.66	\$634,735.19	\$2,460,043.85
Estimated to complete.....	77,508.00	36,343.44	113,852.04
Material:			
Expended to Mar. 1, 1914.....	1,535,685.51	808,024.60	2,343,710.11
Estimated to complete.....	118,714.00	356,474.00	475,188.00
Indirect:			
Expended to Mar. 1, 1914.....	615,447.12	202,269.30	\$17,716.42
Estimated to complete.....	23,120.40	11,593.56	37,713.96
Leave ¹			174,911.73
Holiday ¹			177,227.40
Disability ¹			40,079.04
Classified employees employed in construction of <i>New York</i> but charged to current appropriations (estimate of commandant).....			287,070.00
Leave and holiday of classified employees employed in construction of the <i>New York</i> (estimate of commandant).....			28,930.00
Cost to Government of hull and machinery by reason of construction in navy yard, according to returns received from New York.....			6,956,442.55

¹ Resulting from construction of *New York* and charged against appropriation "Increase of the Navy; construction and machinery."

2. Attention is invited to the fact that the above total cost to the Government of the *New York* is subject to modification as the final actual cost of work covered by the estimates to complete may be either more or less than the estimates mentioned above.

3. The above statement of total cost to the Government of the construction in navy yard—*New York*—includes expenditures for indirect charges under the existing system of bookkeeping; also expenditures for leave, holiday, and disability which have resulted by reason of the construction of the *New York*. Such expenditures are lodged against the appropriation "Increase of the Navy, construction, and machinery," which appropriation covers the cost of hull and machinery for the *New York*, but are excluded from the "limit of cost" of the ship by the phraseology of the appropriation act of March 4, 1911.

4. The above total cost to the Government of the *New York* includes also the charges for classified employees while engaged in drafting, accounting, and clerical work for the *New York*. In accordance with statute law such charges are covered by the annual working appropriations and therefore are not included in the "limit of cost" of the vessel, although such expenditures result from the construction of the vessels.

5. In reply to your request for information as to any overhead charges which would enter into the construction of the ship by private contractor which are not included in the navy yard cost, the following items are items of cost to private contractors which are not included in the "limit of cost" nor in the "indirect charges" under the present system of cost accounting of the ship built in the navy yard:

Officers' salaries.
Clerical force, draftsmen, civilian assistants, subinspectors, expert aids, chemists, watchmen, messengers, etc.

Leave, holiday, and disability.
Ship insurance throughout periods of construction and trial trips.

Expenses of trial trips. By reason of conducting trials of Government-built vessels after commissioning and "shaking-down cruise," expenses of same are lodged against cost of maintaining in commission and not against cost of construction.

Expenses of receiving, testing, and handling stores.
Depreciation, fire insurance of plant.

Interest on money invested, taxes.
Repairs made to buildings, railways, plant machinery, and equipment, when such repairs are in excess of the limits for various items of indirect charges made against the *New York*, as per accounting system now in force. These limits are \$25 and \$100.

6. As regards the cost of the above items, it will be noted that the cost for clerks, draftsmen, etc., leave, holiday, and disability are shown above. There is no information available showing what would be the cost of the remaining items.

7. The commandant of the navy yard, New York, reports that the total expenditures to March 1, 1914, on battleship *New York*, together with the small estimated amounts to complete the vessel, indicate a performance lower than the original estimates by \$413,750.50 under hull, and \$245,884.91 under machinery, or a total of \$659,635.41.

8. The cost of the battleship *Texas*, is as follows: Hull and machinery, cost under contract, including changes during construction, \$5,885,695.

9. There will also be additional expenditures on the *Texas*, chargeable to the limit of cost, by reason of work performed by the Government subsequent to delivery, on account of changes and improvements. The actual cost of this work is not available, as the work has not been completed. The estimated cost of same is \$55,000.

Sincerely yours,

JOSEPHUS DANIELS.

Hon. LEMUEL P. PADGETT, M. C.,
Chairman Committee on Naval Affairs,
House of Representatives, Washington, D. C.

Mr. COOPER. Mr. Chairman, will the gentleman permit an interruption?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Wisconsin?

Mr. PADGETT. Yes.

Mr. COOPER. I wanted to ask the gentleman whether certain overhead charges had not been made against the *New York* that are not charged against the *Texas*? I so understand.

Mr. PADGETT. The *Texas* is a contract ship. That is a stated sum. There is a detailed statement here of overhead charges that are not included in this estimate cost of the *New York*. But I want to say that even with the fact that the ship *New York* has cost more than the *Texas*, I would still favor the placing of a ship in the navy yard in order to hold our organization if I thought it was needed. But it is not needed at this time.

Now, what are the facts? On March 16, 1914, which is just about or a little more than a month ago—five or six weeks—the keel of the battleship No. 39, which is a much larger ship than the *New York*, was laid. I have a letter here from the department, which I will put in the RECORD, stating that that ship will not get off of the ways until about the 1st of July, 1915. This letter is as follows:

MAY 5, 1914.

Hon. LEMUEL P. PADGETT,
Chairman Committee on Naval Affairs,
House of Representatives.

MY DEAR MR. PADGETT: As you will see by the inclosed memorandum, the technical bureaus disapprove the building of a battleship either at New York or Mare Island out of the coming appropriation. This simply means that we are not yet prepared to do what I would wish. Next year it would look more propitious. *New York* will have launched No. 39, and without further expense we could start another battleship; this year is too soon.

In any event, I hope you will be able to leave the department to act as may be best, with only the usual legislation defining the placing of all building in navy yards in the event of a combination.

Very sincerely yours,

JOSEPHUS DANIELS.

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

The CHAIRMAN. Does the gentleman yield?

Mr. PADGETT. I regret I have not the time. The yard can build but one ship at a time.

Mr. MANN. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. MANN. Did not the commandant of the Brooklyn Navy Yard state that he would launch that ship in 10 months?

Mr. PADGETT. I do not know whether he did or not. That statement was made by some one. But I have the official statement here of the department, dated of this date, as to when they would get it off.

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

Mr. PADGETT. Not now. Another thing: The battleship *New York* is a ship of about 27,000 tons, and No. 39 is 31,400 tons, a much larger ship. The *New York* was on the ways 13 months, and they estimate that this ship, being 4,500 tons larger than the *New York*, will take about 15½ months to get off of the ways.

Now, Congress meets in December, and we will appropriate at the next session, which closes on the 4th of March, either for one battleship or for two battleships; I do not know which. Either one of those ships can be placed in the navy yard at Brooklyn and will meet all of the requirements.

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

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from New York?

Mr. PADGETT. The sum total of a direction or authorization to put this ship in the navy yard is simply to delay its construction, according to the statement here, about one year.

Mr. CALDER. Will the gentleman yield now, please?

Mr. PADGETT. I am not in favor of delaying the construction.

Mr. CALDER. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. CALDER. How long will it take to prepare the plans of these battleships after the naval bill becomes a law?

Mr. PADGETT. It is stated here that they will have them ready for advertisement the 15th of October.

Mr. CALDER. One more question, if the gentleman pleases.

Mr. PADGETT. Yes.

Mr. CALDER. We authorized the building of battleship No. 39 on the 4th of March last year?

Mr. PADGETT. Yes, sir.

Mr. CALDER. It was just 1 year and 12 days after that before we laid the keel of No. 39.

Mr. PADGETT. That is true. But No. 39 was 4,500 tons larger than the *New York*. But these two ships—Nos. 40 and 41—to be authorized in this bill are substantial reproductions of No. 39, with certain improvements; and they state here that

they will have the plans ready and the specifications, and will advertise for the construction by the 15th of the coming October.

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

Mr. PADGETT. Now, Mr. Chairman, I am going to put this memorandum in the RECORD:

NAVY DEPARTMENT,
Washington, May 5, 1914.

[Memorandum for Hon. LEMUEL P. PADGETT, Member of Congress, chairman Committee on Naval Affairs, House of Representatives.]

Subject: Battleship building at navy yards.

DEPARTMENT'S POLICY.

It is the policy of the department to develop shipbuilding at navy yards, the extent to be measured by the importance and capacity of each yard. This extent may range from a coal barge to a battleship, and embraces these as well as tugs, gunboats, submarines, destroyers, and all the fleet auxiliaries, such as supply ships, transports, colliers, oilers, and the like.

The advantages claimed for a development of shipbuilding at the navy yards are:

(1) A check upon the cost of private shipbuilding. Congress has repeatedly vested authority in the department to use the navy yards "should it reasonably appear" that the Government is deprived "of fair, open, and unrestricted competition." While the department does not anticipate such a condition to arise, the possession of adequate facilities, together with the knowledge and experience gained in the navy yards, safeguard the public interests. As here stated, no inference is warranted that private shipbuilding shall suffer hardship, for the department considers it as an asset for war of great value.

(2) An increased efficiency and preparedness of the working force due to a more uniform and steady employment of workmen. Retention of trained employees is the ambition of the department. Navy yards are primarily repair and emergency yards. Sudden expansion in necessity is impossible with a fluctuating labor roll.

(3) An improved morale of yard service from master workman to the lowest laborer or messenger. The inculcation of an esprit de corps in navy yards engaged in shipbuilding is easy. Officers and men have a common pride in the launching of a vessel which they have seen grow up under their eye and hand. Throughout her building they have become imbued with a common spirit which commands success.

(4) The expenses of inspection and trial trips are eliminated, changes are under ready control, and throughout the building is regulated by the same routine that applies to all Navy work. Some of the very officers that helped to build her will go to sea in her when built.

CRITERIA.

Before a navy yard is allowed to engage in shipbuilding it is made to show:

- (1) A lower bid than a private contractor.
- (2) That no special equipment is required, or such equipment only as may be of permanent value.
- (3) That there is no extraordinary increase in the plant required.
- (4) The extent of the staging, cranes, and ways that are required.
- (5) The labor market and industrial conditions of the vicinity.
- (6) The objectionable supervising and drafting force.

BATTLESHIP BUILDING.

The highest expression of the shipbuilding art is the battleship. These are governing principles for the assignment of a battleship to a navy yard, namely:

Shipbuilding culminating in a battleship should be a process of gradual growth. A yard should pass through the stages of small shipbuilding to the larger. So will it surely acquire the experience and training essential to produce that most wonderful work—a modern battleship.

In a logical development of our shore establishments it will be found that we require two large naval bases on each ocean. At these the navy yards should reach their greatest development. Hence these should be the ones selected for battleship building. At these will be needed, with threatening war, all the resources the department can command of workmen and material. It will then be the department's policy to allow such moderate shipbuilding at the smaller yards as may be needed for the advantages to be realized, but to reserve the battleship building for the yards attached to the naval bases on which in time of stress the greatest reliance must be placed.

NEW YORK AND MARE ISLAND.

To-day we have but one yard in which a battleship can be built; that is New York. Battleship No. 39 is now under construction there.

Two oilers of 14,500 tons displacement have been awarded to the Mare Island Yard for building—the *Maumee* and *Kanawha*. Further equipment would have to be provided to make it possible to build a battleship at Mare Island. New York and Mare Island are the only two yards which can be considered as properly developed at the present time for battleship building without a large expenditure of money, time, and training.

NEW YORK.

1. The following questions are asked and answered:
(1) What delay would it occasion if one of the new battleships were ordered built at the New York Navy Yard?

Hull: The keel of battleship No. 39 was laid March 16, 1914. The average elapsed time between laying of the keel and launching, in the case of the last six battleships, is about 15 months. Since battleship 39 is considerably larger than either of those ships it will probably require at least 15½ months from the date of laying keel until date of launching; that brings her date of launching about July 1, 1915. If battleship No. 40 or 41 is to be built at New York Navy Yard, this would place the earliest date of laying of her keel about July 15, 1915. The plans and specifications for battleship 40 and battleship 41 will be ready for advertisement about August 1, 1914; opening of bids about October 1, 1914; placing of contract about October 15, 1914. If one of these vessels is to be built at the New York yard, the keel should be laid by March, 1915. It is probable, therefore, that there would be a delay of at least 4 months on this score—in the case of the new battleship. The New York yard is not equipped with draftsmen and other facilities for the rapid designing of details for two battleships of somewhat different design, even though one be at a considerably advanced state of construction, it being noted that in the cases of the *Florida*, *New York* and battleship 39 the principal plans have been purchased from

the private shipbuilders that had contracts for sister ships; a similar procedure can hardly be expected in the case of the next battleship, and in this case there would be an additional time element required; considering the time lost before laying the keel—estimated at about 3 months—it is probable that at least 6 months would be required for building this battleship over and above the time that would be required if contract were placed with a private builder.

Machinery: It is estimated that a delay of about one year would result in so far as the machinery is concerned.

2. In order to avoid delay, could we construct two at the New York Navy Yard contemporaneously?

Hull: Two battleships could not be built simultaneously at the New York yard without very extensive additions to the facilities of the yard—additions that would require at least several years to complete and whose prosecution could not advance advantageously while one battleship should be on the stocks.

Machinery: Two could be built contemporaneously with the delay of one year, as before stated.

3. If two were attempted, would it not inflate our organization so that afterwards it would give great trouble?

If two battleships should be attempted simultaneously, even after the completion of alterations referred to above, the organization would be so inflated as to require an average force for the 30-month period of construction of fifteen hundred men more than are at present required for one battleship, and upon completion of one ship there would have to be a discharge of this additional force unless a new ship should follow simultaneously. It is of great importance to keep the force as uniform as practicable.

Of course if we could be assured that we might continue indefinitely to keep two battleships on the stocks, violent fluctuations in the organization would be avoided.

4. If two were constructed at the New York Navy Yard, what would be the cost of building ways, slips, additional machinery, etc.?

Hull: At the present time the New York yard is provided with facilities for building only one battleship at a time, and the ship-fitting appliances for this are crowded to the limit. In order to build two battleships simultaneously, it would be necessary to provide another building slip and additional ship-fitting facilities. The navy-yard authorities have carefully investigated schemes for extending the building facilities of this yard and have submitted an ideal scheme of improvements involving the abandonment of the present slip, the razing of certain shop buildings, and the erection of extensive ship-fitting sheds and building slips under cover, the estimated cost of the New York yard being \$1,344,730, and the work would extend over several years. Whether this particular scheme should be followed or not, the erection of facilities for building an additional battleship, including a slip for the same, would involve a very large expenditure.

Machinery: To build two contemporaneously and without loss of time would necessitate the building of a new foundry and an extension of the machine shop, both of which improvements are now almost a necessity. The cost would be about \$450,000 for these improvements.

Note.—The following extract from a report on the New York Navy Yard, dated September 5, 1913, and made to the department by the board of inspection for shore stations, is of interest:

"SHIPBUILDING WAYS.

"The yard possesses building ways upon which some of the largest battleships have been constructed. There is a second set of ways in existence upon which the U. S. S. *Maine* was built, but it is now in such a dilapidated condition and is so short in length that, in order to use it for battleship work, it will be necessary to strengthen the foundation as well as to tear down certain buildings to secure space for keel blocks, as well as room for the assembling of material. There is a third possible site for building ways to the westward of the existing ways, but such construction would necessitate heavy expenditure in securing foundations, replacing buildings that will have to be torn down, and in the erection of a Gantry crane for handling material.

"The board does not consider it advisable to recommend the extension of the smaller building ways or the development of any new ways for the construction of battleships, since it is considered that naval interests would be better subserved by building a second battleship at some other naval station on the Atlantic coast in case the department should desire to undertake the construction of two such vessels at one time.

"By reason of the unsatisfactory ship-fitters' shop that exists at the yard, it is not considered that the construction of two battleships should be assigned to the yard, since the cost of the hull work of both vessels would be excessive, as compared with the price at which such vessels could be obtained from a private shipbuilding company or by assigning to two separate yards the construction of a single vessel. The board considers that, rather than undertake the construction of two vessels at the same time at a single navy yard, the development of battleship construction ought to be effected at a second navy yard, since naval interests would be better subserved thereby."

MARE ISLAND.

The following questions are asked and answered:
1. Can a battleship like No. 39 be built at the Mare Island Navy Yard?

Machinery: With the present equipment, it can not be built at Mare Island.

Hull: The Mare Island yard is not equipped to build a battleship.
2. If not, what would be the additional cost to fit the yard to construct a battleship of this design?

Machinery: An expenditure of \$125,000 would be required to equip this yard with the necessary boring mill, lathes, planers, etc.

Hull: It is estimated by the navy-yard authorities that it would cost \$117,400 in addition to the purchase of a floating crane, which the department estimates at \$450,000, to equip this yard.

Total for additional equipment, \$692,400.

3. What are the estimates of cost of construction at Mare Island?

Machinery: It is not possible to give estimates of the cost of construction at Mare Island; however, it is believed that it would be slightly in excess of the cost at New York, probably 5 per cent more.

Hull: It is not possible to give reliable estimates. When the *Pennsylvania's* bids were called for, Mare Island furnished one lower than the New York yard. This bid was criticized on the basis of the large experience of the latter yard in building battleships. Besides, the bid did not take account of the additional shop facilities and other improvements that would be required.

Ordnance: An important item in considering the availability of Mare Island for battleship building is the excess of cost of shipments to

Mare Island over those to New York City, as estimated on the basis of battleship No. 39.

	Tonnage.
Turrets, complete, exclusive of armor-----	1,268
Broadside mounts-----	187
Broadside guns-----	110
Armor-----	8,000
Total-----	9,565
From Washington to New York, at 15½ cents per 100 pounds (\$3.47 per ton)-----	\$33,190.55
Washington, D. C., to Mare Island, Cal., by rail, over land-grant road, \$1.77 per 100 pounds (\$39.65 per ton)-----	381,252.25
Washington to Mare Island via Panama, 70 cents per 100 pounds (\$15.68 per ton)-----	149,179.20
To Mare Island, Cal., by rail, over land-grant road-----	381,252.25
To New York-----	33,190.55
Difference-----	348,061.70
To Mare Island via Panama-----	149,179.20
To New York-----	33,190.55
Difference-----	115,988.65

The additional cost of shipments from Washington to Mare Island over shipments to New York by rail is \$348,061.70, and it is probable that all shipments will have to be made by this route by reason of the time required as well as the fact that divided shipments are made.

CONCLUSION.

- From all of the foregoing it must be evident that—
1. The department desires to encourage shipbuilding in the navy yards.
 2. Only the New York yard is at present equipped for building a battleship and can build only one at a time.
 3. The Mare Island yard is the only other yard sufficiently developed in shipbuilding to be entrusted with a battleship, but it is not equipped for the work.
 4. However, the department hopes that the Congress will see its way clear to leave the question an open one, not restricting it to either private or navy-yard building. If it is decided that one or more battleships must be navy-yard built, funds for the necessary yard equipment must be provided.

Mr. PADGETT. Mr. Chairman, I am going to ask that the committee rise, since under the previous order the House will take a recess at 5 o'clock. But when we get into the House I am going to ask to modify that order, so that we can run still later to-night. I think we can finish the bill.

Mr. MANN. I do not think the modification can be made.

Mr. PADGETT. I move, Mr. Chairman, that the committee do now rise.

The motion was agreed to.

The committee accordingly 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) making appropriations for the naval service for the fiscal year ending June 30, 1915, and for other purposes, and had come to no resolution thereon.

RECESS.

Mr. PADGETT. Mr. Speaker, under the order previously made the House would recess at 5 o'clock until 8 o'clock, for the consideration of the Private Calendar. I desire to submit a request for unanimous consent to modify the recess order, so that the House may continue in session not later than 7 o'clock to-night, and then recess until 8. I think in that time we can finish the bill.

Mr. SHERWOOD. I object.

The SPEAKER. The gentleman from Ohio [Mr. SHERWOOD] objects.

Mr. PADGETT. That is the end of it.

The SPEAKER. Under the special order the House will take a recess until 8 o'clock to-night, and the gentleman from Ohio [Mr. BULKLEY] will act as Speaker pro tempore.

Accordingly (at 5 o'clock p. m.) the House took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House was called to order by Mr. BULKLEY, Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will read the special order for this evening.

The Clerk read as follows:

On motion of Mr. POE, by unanimous consent,
Ordered, That on Tuesday, May 5, 1914, the House stand in recess from 5 o'clock p. m. until 8 o'clock p. m., and that a session be held from 8 o'clock p. m. until 11 o'clock p. m. for the consideration of bills upon the Private Calendar which are not objected to.

The SPEAKER pro tempore. The Clerk will report the first bill on the calendar.

SARAH B. HATCH.

The first business on the Private Calendar was the bill (H. R. 8811) to execute the findings of the Court of Claims in the case of Sarah B. Hatch, widow of Davis W. Hatch.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sarah B. Hatch, widow of Davis W. Hatch, of Bexar County, Tex., the sum of \$1,000, being the amount found due for timber taken and used by United States troops in the winter of 1865 and 1866 and the spring of 1866, as set forth in the findings of fact filed by the Court of Claims on March 28, 1910, and printed as House of Representatives Document No. 857, Sixty-first Congress, first session.

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

Mr. MANN. Mr. Speaker, these bills have to be considered in Committee of the Whole House unless it is waived.

Mr. BYRNES of South Carolina. I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

Mr. FOSTER. I ask unanimous consent that all bills on the Private Calendar be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that all bills on the Private Calendar be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill. [After a pause.] The Chair hears none.

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

CHARLES W. HAMMOND.

The next business on the Private Calendar was the bill (H. R. 7633) for the relief of the personal representative of Charles W. Hammond, deceased.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury of the United States is hereby authorized and directed to pay to the personal representative of Charles W. Hammond, deceased, the sum of \$68 for services in carrying the mail between Macon and Albany, Ga., in 1860 and 1861.

The Clerk read the following committee amendment:

In line 4, after the words "to pay," place a comma and insert the words "out of any money in the Treasury not otherwise appropriated."

The amendment was agreed to.

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

JAMES P. BARNEY.

The next business on the Private Calendar was the bill (H. R. 9147) to restore First Lieut. James P. Barney, retired, to the active list of the Army.

The bill was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to restore First Lieut. James P. Barney, retired, to the active list of the Army of the United States with the rank of first lieutenant of Cavalry, his name to appear on the active list of the Army of the United States next below that of First Lieut. Francis H. Ruggles: *Provided*, That such restoration shall be in temporary excess of the number authorized only until such time as a vacancy shall occur in the grade of captain of Cavalry: *Provided further*, That prior to his restoration to the active list this officer shall have passed an examination to the grade of lieutenant of Cavalry, as prescribed by regulations of the War Department under the terms of the act of Congress approved October 1, 1890.

The following committee amendments were read:

On page 1, line 8, after the word "*Provided*," strike out the rest of said line, together with all of lines 9 and 10, and line 11 up to and including the word "Cavalry," and insert in lieu thereof the following: "That the number of officers shall not be increased by reason of the passage of this act."

Also, on page 1, strike out all of line 13 and insert in lieu thereof the following: "a physical examination for promotion to the grade of first lieutenant, as."

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

Mr. MANN. Mr. Speaker, reserving the right to object, there does not seem to be very much information in the report in this case. We have a letter from the Secretary of War, but no statement as to the age of the man, the length of his service, the character of his service, or the reason for his retirement heretofore.

Mr. GARD. Mr. Speaker, Mr. Barney is a Virginian who has been in the service 10 or 12 years and had service of at least five or six years during that time in the Philippines. He incurred an illness while in the Philippines in the line of duty, and it was necessary to have two distinct surgical operations

performed on him, and as the result of the operations he was retired on account of physical disability incurred in the line of duty. Since then he has recovered his health. He is a very efficient soldier. He has had charge of the instruction in marksmanship, and he has desired for two years or more to get back into the active service of the Army. I think his age is 36 years, and his present condition is vouched for by a number of reputable physicians. He is ready at this time to enter the service.

Mr. KAHN. I will say that at the present time he is receiving the pay and allowance of a first lieutenant. If restored, he will receive the pay and allowance of a captain. He appeared before the committee and seemed to be a young man in vigorous health.

Mr. MANN. Is it the expectation that the committee amendments will be agreed to?

Mr. GARD. Yes.

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

There was no objection.

The committee amendments were agreed to.

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

JOSEPH L. DONOVAN.

The next business on the Private Calendar was the bill (S. 1808) for the relief of Joseph L. Donovan.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, appoint Joseph L. Donovan, late a captain in the Twenty-second Infantry, United States Army, a captain of the Infantry in the Army of the United States, and when so appointed he shall be placed on the retired list of the officers of the Army.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I notice from the report of The Adjutant General that this officer seeking to be restored to the retired list was sickly before he saw any service; that is, before he saw any real Army service. I read from the medical report that in 1894 he had acute muscular rheumatism, and later that he had the measles. According to the record he had about as complete a record of disease as you might expect from any Army officer.

I would like to inquire of the gentleman from California what this man could receive as a pension to which he would be entitled for having received injuries incurred while in line of duty, and what different allowance he would receive if restored to the retired list?

Mr. KAHN. I do not know just what pension he would be entitled to. This officer graduated at West Point.

Mr. STAFFORD. What pension is a captain allowed, because he was retired as a captain?

Mr. KAHN. No; he was not retired at all.

Mr. STAFFORD. He resigned.

Mr. KAHN. He resigned at a time when he was mentally unbalanced. Every captain in the regiment advised the colonel not to accept his resignation. He should have been retired for physical disability; but instead of that the colonel of the regiment did send his resignation on to Washington, and it was accepted.

If the gentleman will look over the papers on file in the case he will find a signed statement made by his fellow officers to the colonel of the regiment urging that his resignation be not accepted. This man was severely wounded in 1899 and afterwards went insane. He was sent to an insane asylum and was treated there for several months. Subsequently he was discharged as cured, went back to the Philippines, and entered the campaign against the Moros. He was exposed to all the hardships and rigors of that campaign. While in that campaign he became obsessed with the idea that his accounts were not right and he resigned. Of course his accounts must have been right or his resignation could not have been accepted. The officers with whom he was associated realized the condition of his health and urged the colonel not to accept the resignation. He should have been sent before a medical board of survey and should have been retired for disability.

Mr. STAFFORD. Of course the gentleman does not question but that he has a pensionable status?

Mr. KAHN. I do not think he has.

Mr. STAFFORD. For injuries received in the service that are the cause of his present physical condition? That is the basis of the claim for reinstatement.

Mr. KAHN. I do not know whether he has a pensionable status.

Mr. STAFFORD. Can the gentleman give us the reason why the War Department at one time returned an unfavorable report in the case?

Mr. KAHN. I do not know, but I had a talk with Gen. Wood subsequent to the time that that favorable report was sent to the committee. Gen. Wood said that he had looked up the record of this man and found that he was an exceedingly brave and efficient officer, and that on the retired list he could be of considerable service to his country doing the work that retired officers can do. He is a comparatively young man, and, in my judgment, he would be very efficient in the recruiting service and work of that kind.

Mr. STAFFORD. I think the record shows he is not only a physical but a mental wreck. It is one of those unfortunate cases, and the question in my mind is whether he would not have a pensionable status which would compensate him for injuries which he received in the Philippine service. He certainly has a meritorious record.

Mr. KAHN. I think he still carries the bullets he received.

Mr. STAFFORD. I do not feel inclined to press the objection.

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

Mr. KAHN. Certainly.

Mr. MANN. As I understand, this man had an attack of what we usually call insanity—two distinct mental disturbances, in fact.

Mr. KAHN. Yes.

Mr. MANN. And he resigned while in one of those mental disturbances?

Mr. KAHN. Yes.

Mr. MANN. The other captains protested against the acceptance of his resignation?

Mr. KAHN. Exactly.

Mr. MANN. But the adjutant of the regiment declined to favorably consider their request because of the nature of the offense which had caused his resignation. Does the gentleman know what the nature of the offense was? I will not ask him to state what it is.

Mr. KAHN. I do not know. The information I have is that the man became obsessed with the idea that he was indebted to the Government. Of course that could not have been, or his resignation would not have been accepted.

Congress on one or two occasions has placed men on the retired list under similar circumstances. I recall the case of Detchmandy, in the Fifty-seventh Congress, and the gentleman may recall it. He was a very efficient officer in the Philippines and participated in the campaign against Aguinaldo. He was mentally unbalanced and resigned under somewhat similar circumstances to those existing in Capt. Donovan's case, and subsequently Congress restored him to the retired list.

Mr. MANN. Well, as I understand, the committee believes that this man sent in his resignation at a time when he was mentally irresponsible?

Mr. KAHN. Absolutely.

Mr. MANN. And that he ought to have been retired then.

Mr. KAHN. Exactly so.

Mr. MANN. Instead of his resignation being accepted.

Mr. KAHN. Exactly so.

Mr. MANN. I am opposed to these bills putting men on the retired list under ordinary circumstances, but if the committee is absolutely satisfied that he resigned only because he had an attack of insanity at the time, I think it puts a different light upon the case.

Mr. KAHN. The committee felt that way.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

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

FRANK ELLSWORTH M'CORKLE.

The next business in order on the Private Calendar was the bill (H. R. 3432) to reinstate Frank Ellsworth McCorkle as a cadet at United States Military Academy.

The Clerk read as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to reappoint as cadet at the United States Military Academy, without regard to age or the existence of vacancies, Frank Ellsworth McCorkle.

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

Mr. WINGO. Mr. Speaker, I would like to have some explanation of the bill.

Mr. MCKELLAR. Mr. Speaker, I will say for the benefit of the gentleman and the House this is one of a number of cadets who were dismissed from the academy, and who have been all

restored except two others and this one. The others were restored, and I believe two did not ask to be restored. Six, I think, have already been restored by the Senate. A bill was passed by the Senate, and afterwards passed the House. These nine cadets were charged with having taken a glass of beer at some little town near West Point, and were dismissed from the academy on that account.

Mr. LANGLEY. Just one glass?

Mr. McKELLAR. I will see whether it was one glass or not; I have the facts here. I am mistaken about that; I will say for the benefit of Mr. LANGLEY and other gentlemen of the House it is two glasses of beer. These cadets were dismissed because of that. This was wrong, of course, but I think all these boys should be given another chance. The sentences of three of these boys were suspended, and they were kept in the academy. Congress has passed an act for the relief of the other three, and now this is the last one who is asking for relief. The committee thought this boy ought to have another chance.

Mr. WINGO. Did they all commit the same offense?

Mr. McKELLAR. Yes.

Mr. WINGO. All they did was to take a couple of glasses of beer?

Mr. McKELLAR. I am not sure how much each of the other cadets took.

Mr. WINGO. I do not care anything about the number—

Mr. McKELLAR. This boy took two glasses of beer. That is all the offense with which he is charged, and the committee thought he ought to be given an opportunity to redeem himself.

Mr. GOULDEN. How many of these boys were there originally?

Mr. McKELLAR. Nine.

Mr. GOULDEN. And seven have been readmitted?

Mr. McKELLAR. Six have been readmitted, and two have not made application for readmission, as I am informed.

Mr. GOULDEN. Why did not this boy make application earlier?

Mr. McKELLAR. He made application, but it happened Mr. ANTHONY, his Representative, introduced a bill in the House, and the House method of getting at this thing is a much slower method than where a bill is introduced in the Senate.

Mr. GOULDEN. We discovered that long ago.

Mr. KAHN. Mr. Speaker, as a matter of fact a similar bill was reported to the House in the last Congress, but died upon the calendar because it was reported out late in the session.

Mr. McKELLAR. I will say to the gentleman from New York, if he will give me his attention for a moment, Mr. KAHN has called my attention to this fact, that the Committee on Military Affairs of the House reported this bill at the last session, but it died on the Private Calendar. That accounts for the delay.

Mr. GOULDEN. I hope the gentleman will see it does not die at this session.

Mr. McKELLAR. I thank the gentleman.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

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

GEORGE P. HEARD.

The next business in order on the Private Calendar was the bill (H. R. 2728) for the relief of George P. Heard.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to allow George P. Heard, late captain, Medical Corps, United States Army, to take the examination prescribed by law and under the regulations for the government of the Army for the grade of major in the Medical Corps: *Provided,* That if the said George P. Heard successfully passes the required examination the President is hereby authorized and directed to appoint him a major, Medical Corps, upon the active list of the Army, to rank from December 15, 1910: *Provided further,* That nothing herein contained shall be construed to carry back pay.

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

Mr. MANN. Mr. Speaker, reserving the right to object, this bill apparently proposes to restore a man to the Army, giving him advanced rank to date back to December 15, 1910. Does not the gentleman think this is going some to retire a man to the Army and give him advanced rank dating back three or four years?

Mr. McKELLAR. Well, that was the date on which, it seemed to the committee, he ought to have been allowed to take that examination, and we think there was no reason why he should not.

Mr. MANN. He took an examination and failed in it, and under the law was dismissed.

Mr. McKELLAR. All line officers have the right to take a second examination; and I will say to the gentleman that he was very, very close to the mark, as he will see by the record here. I hope the gentleman will not object to it.

Mr. MANN. I do not think it is proper to date back these restorations.

Mr. McKELLAR. I am not going to be captious about that, and if the gentleman feels that there ought to be some revision, if he will offer an amendment I do not know but that I will agree to it. I hope he will make it as mild as possible and give this gentleman a chance.

Mr. MANN. I do not know what the amendment ought to be, whether it should be to strike out "to rank from December 15, 1910," or not.

Mr. McKELLAR. This has been on the calendar. It was reported out last year, and it came up and failed because of the termination of the session.

Mr. MANN. It was reported out only on January 30. It has not been very long.

Mr. McKELLAR. It was reported out at the last session of Congress.

Mr. MANN. I beg the gentleman's pardon. It was reported out on January 30.

Mr. McKELLAR. This present bill was reported out at this session, of course, but a similar bill was reported out at the last session of Congress. Of course, this bill was not—

Mr. MANN. I am talking about this bill.

Mr. McKELLAR. Now, if the gentleman from Illinois will suggest what amendment he desires to offer—

Mr. MANN. I do not think I know enough about it to suggest an amendment, but I am opposed to restoring a man to the Army and giving him an advanced rank in the restoration, and then dating back the rank three or four years.

Mr. McKELLAR. I will suggest to the gentleman I will offer an amendment on page 1 of the bill to strike out the last two words on page 1, and down to the colon in line 2 on page 2, "to rank from December 15, 1910." I will move to strike out those words.

Mr. MANN. I suppose then some gentleman will go over and urge the Senate to restore the language, and then the House, under the gentleman's leadership, will agree to the amendment.

Mr. McKELLAR. I will say to the gentleman if I agree to strike out those words I am not going to urge any such amendment as that in the Senate.

Mr. MANN. I know the gentleman would not go to the Senate. I would not accuse him of that.

Mr. McKELLAR. Mr. Speaker, in order to meet the objection, I move—

Mr. MANN. If the gentleman will agree to offer the amendments and support them, and strike out the language he speaks of, and also the words "and directed" in line 4, page 1, so it will simply give the President authority to appoint the man—

Mr. McKELLAR. I am inclined to think that that ought to be done, anyway.

Mr. MANN. I do not think we can direct the President.

Mr. McKELLAR. I think not.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think there should be another clause similar to the other bills reported from the Committee on Military Affairs of this character, to the effect that the number of officers shall not be increased by reason of the passage of this act. It is not intended to increase the number of officers just to accommodate a man who could not pass his examination and who now wishes to get back in the service.

Mr. MANN. The last proviso ought to go out, and the gentleman can insert it in that. If the gentleman's amendment goes through, there is no necessity for providing it shall not carry back pay.

Mr. McKELLAR. Why not strike it all out?

Mr. STAFFORD. I suppose the gentleman has no objection to including the language that I refer to?

Mr. McKELLAR. What is that?

Mr. STAFFORD. Providing the number of officers shall not be increased by reason of the passage of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. Does the gentleman from Tennessee desire to offer an amendment?

Mr. McKELLAR. Mr. Speaker, I offer the following amendment to the bill:

In line 4, page 1, of the bill strike out the first two words, "and directed."

Mr. KAHN. Also the same in line 10.

Mr. McKELLAR. Also the same words in the last line of page 1. I offer those amendments to page 1.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 4, strike out the words "and directed," and on page 1, line 10, strike out the words "and directed."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKELLAR. Mr. Speaker, I now offer the following amendment: In line 1, page 2, strike out everything in the paragraph after the word "Army," and insert in lieu thereof the words:

Provided further, That the number of officers shall not be increased by reason of the passage of this act.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, strike out all after the word "Army," in line 1, and insert the following: "*Provided further*, That the number of officers shall not be increased by reason of the passage of this act."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

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

Mr. McKELLAR. Mr. Speaker, I ask that the report of the committee be published in the RECORD. This report is as follows:

The Committee on Military Affairs, to whom was referred the bill H. R. 2728, having considered the same, report thereon with a recommendation that it do pass, and in support of this recommendation submit the following report:

Dr. George P. Heard entered the service at Fort McPherson July 13, 1901. He was honorably discharged from the service December 15, 1909. The following is his record while in the service:

GENERAL SUMMARY OF EFFICIENCY REPORTS.

1903. Maj. C. L. Hodges, Twenty-third Infantry, Parang, P. I.: In charge of town near by during prevalence of cholera. Performance of duty, excellent. General summary of habits, conduct, bearing, professional zeal, ability: Excellent. Condition of discipline, capacity for command: Good.

1904. Col. J. T. Van Orsdale, Seventeenth Infantry, Cotabato, P. I.: General summary: Excellent.

Maj. C. L. Hodges: Attention to duty: Excellent. General summary of professional zeal, bearing, appearance, intelligence, etc.: Good.

Lieut. H. C. Bonycastle, Parang, P. I.: General summary: Very good to excellent.

1905. Capt. Durfee, Seventeenth Infantry: General summary: Excellent to good.

1906. Lieut. Col. G. H. Torney, General Hospital, Presidio, San Francisco: General summary: Very good to good.

1907. Lieut. Col. G. K. Hunter. General summary: Excellent to very good.

1908. Capt. Walter Cox, Medical Corps, Camp Bumpus, P. I. General summary: Very good to good.

1909. Col. Crampton, Medical Corps, chief surgeon, Philippines Division. States he has had little opportunity to observe, but gives general summary of good.

1909. Col. C. A. P. Hatfield, Camp McGrath: General summary: Good.

It will be seen from the foregoing that Dr. Heard was in service in the Philippine Islands for a little more than five years. That during a portion of this time an epidemic of cholera prevailed in the post where he was stationed, and that his performance of duty at such a time is declared by his officer in charge to have been excellent. A careful examination of the foregoing report shows that it is one that any officer surgeon in the Army might feel proud of.

On March 17, 1910, Maj. Gen. Leonard Wood, with whom Dr. Heard had served in the Philippine Islands, and who knew personally of the facts about which he spoke, stated of Dr. Heard:

"George P. Heard, late captain, Medical Corps, United States Army, served under my command in Mindanao, P. I., during the years 1903, 1904, and 1905. His professional reputation was excellent, and his discharge of duty marked by zeal and efficiency. His work while in charge of the hospital at Cotabato was especially notable for its excellence. His standing as an officer was excellent.

"LEONARD WOOD,
"Major General, United States Army."

Under the same date Gen. Wood wrote the following letter to Dr. Heard:

HEADQUARTERS DEPARTMENT OF THE EAST,
Governors Island, New York City, March 17, 1910.

DEAR DR. HEARD: I inclose herewith statement concerning your service in Mindanao which I hope will be of service to you. I remember very well your excellent work there, especially at Cotabato. I am exceedingly sorry to hear that you are no longer in the service.

With kind regards, very truly, yours,

LEONARD WOOD.

DR. GEORGE P. HEARD,
New York Post Graduate Medical School,
303 East Tenth Street, New York City.

As to how Dr. Heard was esteemed both as a man and as a soldier by his brother officers in the Army is shown by copies of the following correspondence:

FORT BENJAMIN HARRISON, IND.,
August 29, 1910.

DEAR HEARD: I have just returned from a practice march and find your letter of August 22, and I can't tell you how surprised and sorry I was to hear of your failure on examination for promotion. I feel sure that something other than your ability as a medico must have been involved. (Probably you forgot to give the command "March" after giving "Prepare to pass obstacles.")

Our experiences in the Cotabato Valley, in 1904, are only too fresh in my memory, and the many expressions I then heard from officers and men of your constant care and attention to business.

I will never forget your tireless energy and care of Private Lemmel and myself when they got us at Bulacan; nor will I ever be able to express my gratitude to you for pulling me through without any after effects.

Seriously, Medico, I am not much of a hand at writing or talking, but if you want to be reinstated, just gather together that command of doughboys you served with in the valley, march them up to the "powers that be," and they will tell a few things that are not known to your superiors, nor are they on record—of duty well and faithfully performed.

You spoke of writing to my father. You know he has been on leave in China and Japan, and has only just returned to his station.

Sincerely hoping that you will succeed in being reinstated, if you so wish,

Yours,

C. K. LEWIS,
First Lieutenant, Tenth Infantry.

FORT D. A. RUSSELL, WYO., March 15, 1910.

To whom it may concern:

I am personally acquainted with Capt. George P. Heard, late of the Medical Corps, United States Army, and served with him at Camp McGrath, Batangas, P. I., for about eight months in 1908 and 1909; and I take pleasure in certifying to his steady attention to his professional duties as a medical officer and to his ability as a physician and surgeon, as evidenced by the results within my personal observation of his services to officers and enlisted men and their families stationed at Camp McGrath.

FRED J. HERMAN,
First Lieutenant, Ninth United States Cavalry.

FORT MCPHERSON, GA., February 28, 1910.

To whom it may concern:

George P. Heard served under me for several months at Cotabato and in the valley of the Rio Grande of Mindanao, P. I., 1904. I had opportunity to observe his conduct as post surgeon, etc., and can report that same was to my entire satisfaction. The hospital was always in good condition and he was attentive to his duties in caring for the men, performing surgical operations, etc.

JOHN T. VAN ORSDALE,
Colonel Seventeenth Infantry.

FORT D. A. RUSSELL, WYO., March 15, 1910.

I hereby certify that Capt. George P. Heard, late of the Medical Corps, United States Army, attended myself and family at Camp McGrath, P. I.; that I found him eminently satisfactory and very attentive in his professional calls at my house where there was a sick baby. I greatly preferred him to any other medical officer stationed at Camp McGrath, and considered him one of the best medical officers I ever came in contact with.

ROBT. STERRETT,
First Lieutenant, Ninth Cavalry.

FORT D. A. RUSSELL, WYO., March 14, 1910.

To whom it may concern:

I was stationed with Dr. George P. Heard at Camp McGrath, P. I., for a period of about eight months. During part of this period he acted as post surgeon.

It was the general opinion among the officers of the garrison that he was the most efficient medical officer at the post.

He is a man of exceptionally good habits, was always attentive to his duties, and performed all his duties in an exceptionally efficient manner.

Respectfully,

GEO. W. WINTERBURN,
First Lieutenant and Squad Adjutant, Ninth Cavalry.

FORT D. A. RUSSELL, WYO., March 16, 1910.

To whom it may concern:

I have served for a considerable time in the same post with Dr. G. P. Heard. I consider that for zeal in his profession and for care and attention to cases entrusted to him this officer was decidedly above the average Army doctor. His reputation in these respects was excellent.

EDWARD CALVERT,
First Lieutenant, Ninth Cavalry.

FORT BLISS, TEX., March 1, 1910.

MY DEAR HEARD: Your letter just received and was glad to hear from you. Yes; I had learned about your case and was very sorry to hear it, and have always believed that they made a great mistake.

It has been a long time since Camp Jossman, and I find it pretty hard to remember facts as they then existed, though our experience there should be vividly impressed on my mind.

As near as I can remember the circumstances it was on muster morning of October, 1902, when Maj. Evans and myself visited the hospital for the purpose of mastering the absentees in hospital. I remember that there were three or four men sick in the hospital and you said that you was afraid that they had cholera. This was, I should say,

about 9.30 or 10 o'clock a. m. At about 4 p. m. one of the men died with the cholera, and our epidemic, if you would call it such in medical parlance, was on. As far as your deserting the job, I know and believe that you did absolutely everything in your power to prevent the spread of the disease, and the mere fact that it was so prevented shows in itself that you was on the job all the time. I do not believe anyone could have performed more noble and self-sacrificing service than you did in those trying days, when we didn't know who was the next to go. Yours was the hardest task of all. When the fact that all of these cases of cholera, with possibly the exception of one, were actually traced to the negligence of the persons who had the disease, i. e., drinking water at unauthorized places, and the fact that the cholera did not spread to the command, it is conclusive proof to my mind that some one was responsible for the satisfactory results, and to my mind you should be given credit for them.

I think it would be well for you to get a letter from Col. Evans and from Chaplain Dougherty; they both knew the state of affairs that existed in those days.

It is all very well for the man back at the desk and out of danger of the operations to criticize and say what should have been done. But it's a far different matter to be up face to face with the proposition with only thin air and very little of it to separate you from the dreadful consequences of contracting the cholera.

Heard, I believe you did all you could and have always upheld your actions when they were discussed; and if you were fired from the corps on this charge it should be removed.

My kindest regards and best wishes. Hope you get your bill through all O. K.

Sincerely,

W. H. WALDRON,
Captain, Twenty-third Infantry.

FORT D. A. RUSSELL, WYO., March 8, 1910.

To whom it may concern:

This is to certify that I have known Capt. George P. Heard, Medical Corps, United States Army, for about a year, and that during the time he served as a medical officer at Camp McGrath, P. I., his conduct as a man was above reproach, and it was universally conceded that his services as a physician were all that could be asked, and generally above the average in his corps.

It would be superfluous for me to add anything to the good name of Capt. Heard.

Very respectfully,

S. B. PEARSON,
Captain, Ninth Cavalry.

To whom it may concern:

I take pleasure in stating that I was stationed at Batangas, P. I., while George P. Heard was serving there as captain in the Medical Corps, and had occasion to call for his professional services at different times for myself and family. I always considered him unusually attentive to duty; in fact, I think I was treated for ear trouble by every medical officer stationed there for two years, and none of them gave as much personal attention to my case as did Dr. Heard, and with good results.

I think it was generally considered that he was very attentive to duty, and his judgment was relied upon; I think also that it was the general impression that Dr. Heard could always be relied upon to respond cheerfully to calls from the poorer classes of natives (charity cases); the same can not be said of all of his colleagues.

Personally, I considered Dr. Heard's proficiency and attention to duty as much above the average as compared with other officers of the same grade and experience.

W. H. MCCORMACK,
Captain, Ninth Cavalry.

HEADQUARTERS DEPARTMENT OF THE EAST,
CHIEF QUARTERMASTER'S OFFICE,
Governors Island, New York Harbor, March 15, 1910.

To whom it may concern:

This is to certify that I have known Dr. George P. Heard since July, 1902. He was formerly a surgeon in the Medical Corps, United States Army, and while serving in that capacity was stationed with me at Bacalod, Negros Island, P. I., and afterwards at Camp Jossman, Guimaras, P. I.

I have personal knowledge of the fact that he was, during his service at these two places, attentive to his work and successful in his efforts during critical times in the presence of serious outbreaks of cholera. While serving at Camp Jossman, I understood, he was subjected to criticisms of the chief surgeon, Department of the Visayas. It gives me great pleasure to state that it is within my knowledge that there was nothing in Dr. Heard's conduct at that time that did not then have the cordial support of the officers serving with him, including his commanding officer, Maj. W. P. Evans, Twenty-ninth Infantry (now lieutenant colonel, General Staff). On the contrary, his attention to duty, his practical intelligence, and his courage to do what he believed to be right appealed to his fellow officers and won their commendation.

I have always rated Dr. Heard among the surgeons I have known in the Army as one of those who possess high professional attainments and courage.

Very respectfully,

B. H. WELLS,
Captain and Quartermaster, United States Army.

FORT D. A. RUSSELL, WYO., April 15, 1910.

Dr. GEO. P. HEARD, Columbus, Ga.

MY DEAR DOCTOR: I have been intending to drop you a line for some time expressing my regret at your separation from the service. It was my pleasure and fortune to serve with you some time in Camp McGrath, Batangas, and you may rest assured that I and my family had the greatest confidence in you and regarded your professional ability equal to any and superior to most doctors that we have served with.

With best wishes for your future success, I am,

Sincerely,

F. S. ARMSTRONG,
Captain, Ninth Cavalry.

FORT MCPHERSON, GA., April 27, 1910.

Dr. G. P. HEARD,

New York Post Graduate Medical School, New York, N. Y.

MY DEAR DOCTOR: Your letter of April 9 received, and I take pleasure in stating in writing that I knew you in the years 1904-5, while I was district governor, Cotabato district, and while you were post surgeon at Cotabato. I always considered you a most efficient, faithful, and conscientious doctor and noted many instances in which you went out of your way to help sick and destitute Moros.

I was personally very sorry to hear you had failed in your examination and hope you will be successful in getting a reexamination, and I am sure you do yourself credit. You may show this letter if you think it will help you, but I trust you can succeed without its doubtful aid.

Yours, most sincerely,

R. O. VAN HORN,
Captain, Seventeenth Infantry.

PAY DEPARTMENT, UNITED STATES ARMY,
DEPARTMENT OF THE MISSOURI,
Omaha, Nebr., May 9, 1910.

To whom it may concern:

This is to certify that I have known Dr. George P. Heard the past two years and during that time he had occasion to treat my wife successfully during a very severe illness lasting over a month. I feel that her recovery was in a great measure due to his untiring efforts on her behalf.

I have always considered him a most willing worker and a good officer.

E. M. SUPLEE,
Captain, Paymaster, United States Army.

PHILIPPINE CONSTABULARY SCHOOL,
Baguio, P. I., July 25, 1910.

To whom it may concern:

I had the pleasure of knowing Capt. G. P. Heard, assistant surgeon, United States Army, under circumstances of close official and personal relations for the period of about one year at Cotabato, Mindanao, 1904-5. Of his surgical and medical work I had opportunity to judge from his treatment of my company and of many indigent Moros. After an experience of 11 years in the Philippines and being constantly in the company of Army surgeons I consider Capt. Heard the most efficient one I have met. Personally he is a big-hearted southern gentleman, whom I would trust as a brother.

JOHN R. WHITE,
Lieutenant Colonel, Assistant Director Philippine Constabulary.

CAMP McGRATH,
Batangas, P. I., August 12, 1914.

MY DEAR DR. HEARD: Upon my return from China, July 11, I found your letter and misplaced it. It has just turned up.

While I wish you all success in your efforts to be reinstated in the Medical Corps, I do not know what I can say to help except that your not passing the examination was totally unexpected, as I and others know you to be capable and able to do so.

Your treatment and care of my son, Lieut. Lewis, when he was dangerously wounded in Mindanao, from his account of it to me, showed that you possessed not only the skill of the surgeon but the gentleness of the nurse as well. I am sorry that this is all I can say, but to me it means a great deal.

Yours, sincerely,

THOS. J. LEWIS,
Major, Thirteenth Cavalry.

Dr. GEORGE P. HEARD,
Columbus, Ga.

WASHINGTON, D. C., March 16, 1910.

Dr. George P. Heard, late captain, Medical Corps, United States Army, was my associate at Camp McGrath, Batangas, P. I., from July, 1908, to March, 1909. From daily observation of him and his work I formed a high opinion of his attention to duty and professional ability. I have heard other medical officers and line officers who were associated with him commend him highly.

He had the confidence of the entire regiment (Ninth Cavalry) with which he served as above.

I was much surprised at his failure of promotion, and can not but believe that he was unfortunate in his examination therefor. I should like to see Dr. Heard given another opportunity for reinstatement, as, in my opinion, an officer is not capable of doing his best work before an examining board while serving in the Philippines.

R. S. WOODSON,
Major, Medical Corps, United States Army.

HEADQUARTERS NINTH CAVALRY,
Fort D. A. Russell, Wyo., March 18, 1910.

Dr. GEORGE P. HEARD,
Columbus, Ga.

MY DEAR DOCTOR: Your letter of recent date duly received, and I am glad to be able to bear testimony as you request. You served with my command at Camp McGrath, P. I., for quite a length of time. I was well satisfied with your attention to duty, which was commendable. I feel assured, from my personal observation and from the criticism I have heard, that your professional attainments are excellent. Your conduct as a man and an officer were, during the time I knew you, excellent.

If this statement of facts will be of service to you, I shall be well pleased.

With best wishes for your future welfare, believe me,

Very sincerely, yours,

C. H. WATTS,
Lieutenant Colonel Ninth Cavalry.

FORT LAWTON, WASH.,
OFFICE OF COMMANDING OFFICER,
July 10, 1910.

To whom it may concern:

This is to certify that Dr. G. P. Heard, late captain and assistant surgeon, United States Army, served for several months under my command on Guimaras Island, near Iloilo, P. I., as surgeon of my bat-

talton, during which time I found his services entirely satisfactory. He seemed a painstaking, zealous, and capable surgeon, and I was greatly surprised to learn of the circumstances of his separation from the service.

An outbreak of cholera in my command occurred while he was with it, for which, before the cause of the epidemic became known, he was officially criticized. It subsequently became known that the disease was contracted by some enlisted men who broke camp at night and joined a party of Philippine camp followers at a little barrio a couple of miles from camp, where they became infected by eating and drinking insanitary food and drinks with the natives. Appropriate measures were promptly taken and the epidemic stamped out without infecting any other members of the command.

W. P. EVANS,
Colonel Twenty-fifth Infantry.

HEADQUARTERS DEPARTMENT OF THE LAKES,
OFFICE OF CHIEF SURGEON,
Chicago, Ill., May 13, 1910.

MY DEAR DOCTOR: In reply to your letter of the 4th instant requesting a testimonial with a view to restoration to the service, desire to state that I have always regarded you as a bright, intelligent, and active medical officer. The services rendered during your recent tour in the Philippines and while under my medical charge were performed very satisfactorily to the command with which you served and to the chief surgeon of the department. You have always enjoyed the reputation of being very studious and an officer of excellent habits.

Yours, very sincerely,

L. M. MAUS,
Colonel, Medical Corps, United States Army.

Dr. GEORGE P. HEARD,
New York Post Graduate Medical School, New York City, N. Y.

FORT RILEY, KANS., April 22, 1910.

Dr. GEORGE P. HEARD,
New York Post Graduate Medical School, New York, N. Y.

MY DEAR DOCTOR: I know of nothing which has so surprised me as has the fact that you have failed in your examination for promotion in your corps in the Army. At Fort Wingate, N. Mex., you served under my command as post surgeon for one year and four months and it gives me pleasure to be able to state that during that entire period your duties were peculiarly well performed. Your hospital was a model of perfect sanitary arrangements. During the period of service with my command from August, 1906, to December, 1907, your professional zeal and fidelity to your duties were so marked as to win my entire approbation. During your whole service with me I never knew of your indulging in the use of intoxicating liquors at all. I can not, therefore, understand your failure to pass your examination and I feel that you should be granted another opportunity to show that you possess all of the qualifications expected of our medical officers, as I am convinced that you have this technical knowledge and can prove it if afforded the opportunity.

Very respectfully,

GEORGE K. HUNTER,
Colonel Seventh United States Cavalry.

VANCOUVER BARRACKS, WASH., April 13, 1910.

MY DEAR DOCTOR: I was much pleased to get your letter which reached me to-day. Its coming causes my memory to revert to the stirring times of the war in the Cotabato Valley, at which time you so ably filled the position of post surgeon at Cotabato.

I do not wish to flatter you, but really I feel it is but due to yourself that I should express my appreciation of the manner in which you performed your duties while serving under me. Your attention to duty, your solicitation for the welfare of and attention to the sick, your markedly courteous treatment of all, and your success in the treatment of cases, some of which were of unusual seriousness, all tend to show and to prove conclusively your entire fitness in a personal and professional line for the position you held.

You impressed me most favorably and I am free to confess that I know of no surgeon whom I would rather have under my command than yourself.

With kindest regard and best wishes,

Yours, very sincerely,

G. K. MCGUNNIGLE,
Colonel First Infantry.

In May, 1906, Dr. Heard was examined for the purpose of determining his fitness for promotion to a captaincy, and after such examination the Surgeon General of the Army, George H. Torney, being president of the board, duly accepted the examination and he received his promotion to a captaincy.

In October, 1909, Dr. Heard was again directed to stand an examination to determine his fitness for further promotion. This examination was taken in Manila, and the board reported unfavorably, claiming that the general average of Dr. Heard was 73.2 per cent, when the minimum requirement was 75 per cent. (See report of Secretary of War.)

While at Camp Presidio, the board in Washington confirmed this report and Dr. Heard was duly but honorably discharged from the Army.

The bill simply provides that Dr. Heard be allowed to take the examination prescribed by law under the regulations for the government of the Army for the grade of major, in the Medical Corps, and provides further, that if he successfully passes the required examination, the President is authorized to appoint him a major, but nothing in the bill provides for any back pay.

The committee wishes to call attention to the fact that Dr. Heard's examination papers showed, according to the report of the board, that he made an average of 73.2 per cent, when 75 per cent was required. The examination showed such a record as would justify either average.

The committee is of the opinion that Dr. Heard should be permitted to stand another examination. Another consideration with the committee is that all other line officers are allowed to stand a second examination, and the committee does not see why these medical officers should not have a second opportunity to stand this examination, and especially in view of the fact that the difference between the required per cent and the per cent which the board found Dr. Heard had made is so very small.

The committee recommends that the bill be passed.

The SPEAKER pro tempore. The Clerk will report the next one.

WILLIAM P. HAVENOR.

The next business in order on the Private Calendar was the bill (H. R. 6052) for the relief of William P. Havenor.

The Clerk read the bill, as follows:

Be it enacted, etc., That the patent issued January 6, 1910, to William P. Havenor for the south half of the southeast quarter of section 6 and lot 1 of section 7, township 6 south, range 34 east, Boise meridian, containing 121.27 acres, is hereby confirmed, and the Secretary of the Interior is hereby authorized and directed to issue patent to the said William P. Havenor for the northeast quarter of the southwest quarter of section 6, township 6 south, range 34 east, Boise meridian, containing 40 acres, an additional homestead entry. And also a patent for lot 7 and the east half of the southwest quarter of section 6 and the northeast quarter of the northwest quarter of section 7, township 11 south, range 37 east, entered under the desert-land laws, providing it is shown that the said William P. Havenor has complied with all the requirements of the homestead and desert-land laws of the United States applicable to said entries, notwithstanding the fact that the said William P. Havenor had been commissioned as a deputy mineral surveyor of the United States.

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

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

Mr. FRENCH. Mr. Speaker, I just wanted to offer an amendment touching the form, to strike out a period at the top of page 2, line 1, and insert a comma, and begin the next sentence with "and," using a small letter.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 1, strike out the period after the word "entry" and insert a comma and insert a small "a" to the word "and."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the amended bill.

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

The SPEAKER pro tempore. The Clerk will report the next bill.

JOHN S. M'KINNEY.

The next business in order on the Private Calendar was the bill (S. 3192) waiving the age limit for appointment as cadet engineer in the Revenue-Cutter Service of the United States in the case of John S. McKinney.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to waive the age limit for the appointment of cadet engineers in the Revenue-Cutter Service, as required by the act of June 23, 1906, in the case of John S. McKinney, and that the Secretary of the Treasury is authorized to permit the said John S. McKinney to participate in the next competitive examination to be held for the position of cadet engineer in the Revenue-Cutter Service.

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

Mr. MANN. Reserving the right to object, I would like to ask my distinguished friend from Georgia [Mr. ADAMSON], now the chairman of the Committee on Interstate and Foreign Commerce, if that committee is going to break over the rules of the past and start in on special legislation for the Revenue-Cutter Service?

Mr. ADAMSON. Mr. Speaker, in the hearings on this bill the committee examined the officers of the Revenue-Cutter Service. I confess that, with the great caution customary to the members of that committee, we approached the consideration of this Senate bill with care. We had hearings, and after the hearings we determined that this was a meritorious case, and that it was not necessary to break over any rules in order to report the Senate bill.

I think I can briefly state the facts to the House. This young man had a good deal of experience in the Navy. He desired to be a cadet in the Revenue-Cutter Service, and he filed his application for an examination. Before he was examined the sundry civil bill passed, prohibiting the appointment of any further cadets.

Mr. MANN. Oh, the gentleman—

Mr. ADAMSON. Just wait a moment—

Mr. MANN. The gentleman has forgotten this case for the moment and is thinking of another case that came up a number of years ago.

Mr. ADAMSON. No; it was this case, if the gentleman will wait a moment. Then the next sundry civil bill passed, chang-

ing that and permitting further appointments. This young man renewed his application and expected to be examined, but, unfortunately, the President vetoed that sundry civil bill. Afterwards the House passed the same bill, and it was signed, but the young man's birthday had come along too fast, and a month before that bill was signed he got too old.

Now, he thinks that, considering all these various and sundry facts and vicissitudes, he ought to be allowed to take the examination for appointment in that service. During the consideration of the subject it appeared from an examination of the revenue-cutter officials that the service is short of eligibles; that there are vacancies existing now; and that at the examination which was held after this young man became too old to take it they lacked one of having enough. They all like him; they in-force him; they think he is competent; they think he will pass the examination; and they do not think he ought to be deprived of the examination or the service deprived of his ability on account of this series of accidents. I hope my genial and affable friend will be satisfied with this explanation, which is a simple statement of the facts as brought out in the hearings, and that he will not regard this as any unpardonable infraction of the rules which have so long distinguished that committee by their observance rather than by their breach.

Mr. MANN. We passed an act in 1906, I believe—the gentleman from Georgia [Mr. ADAMSON] and I, and others in our committee and in the House—fixing the age limit of entrance for engineer cadets at 26 years. At that time there was one man who had already taken the examination. The age limit was fixed after he took his examination. We did pass a private bill to permit that boy to be admitted, because after he took the examination we cut him out by legislation. Now that is given as a reason why we ought to pass this bill, although the case does not exist here at all. I think the bill to which I refer is the only bill we ever passed out of our committee for personal legislation in the Revenue-Cutter Service since the gentleman and I went on the committee in 1897. There are on this calendar two bills for personal legislation in the Revenue-Cutter Service, and they always say, "Why, they can do that in the Navy." Well, the Navy Committee is weak sometimes [laughter] in heart, at least, but the great Committee on Interstate and Foreign Commerce ought to stand up straight, and if they will not do it I will help them.

Mr. ADAMSON. Mr. Speaker, I would not for the world differ with my distinguished friend on matters of judgment, for he is an exceedingly judgmental man [laughter]; but when it comes to comparisons all of us have the right to take a fling at it with our judgments, whether they be good or bad. Now, our committee has changed somewhat in personnel, it is true, since the days when the gentleman was chairman of it, and perhaps it suffers in some respects even as to the chairmanship. [Laughter.]

Mr. MANN. It is still a great committee.

Mr. ADAMSON. The gentleman himself was not the distinguished chairman of the committee at the time the first precedent was established.

Mr. MANN. No; if I had been, that precedent would not have been established.

Mr. ADAMSON. But the gentleman and I were both on the committee when the precedent was established, and we did not defeat it or object to it; and when it comes to a comparison, I ask the gentleman to allow the House to decide if this is not fully as justifiable a case as the other. It is true we did not legislate this man out just after his examination; but a series, a concatenation of misfortunes, part of them legislative and part executive, happened to deprive him of the examination when he was young enough; and he is able to stand the examination. Since the gentleman from Illinois went off of that committee the Revenue-Cutter Service has met with a good deal of trouble at the hands of other committees besides ours. Another great committee of this House has taken the liberty to legislate a good deal about the Revenue-Cutter Service, and in the sundry civil bill for the year 1913 it did legislate this man out of a chance to stand the examination. He had his hopes revived when the sundry civil bill for the next year contained a provision restoring his lost opportunity, authorizing seven cadets to be examined. He went to work and prepared for that examination. Unfortunately President Taft vetoed that bill. He was still young enough when it was vetoed, but before the bill could be passed again and signed, the young man got to be too old. If that is not being legislated out of opportunity, it is mighty near it. We had some legislative and some executive and other things happen, and old man Tempus kept on working; and it looks as though there was a complication of diseases, that make it a much harder case, a much stronger appeal to the discretion of the committee and of the House than the precedent

which the gentleman and I helped to set. I hope the gentleman in this case will concede that it is not such a great infraction of the rules, and a violation of the dignity of our great committee as at first it may have appeared to him; and I do hope his good nature will remain with him until this bill can be passed. [Applause.]

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

Mr. MANN. I object.

JOHN W. CANARY.

The next business in order on the Private Calendar was the bill (H. R. 932) for the relief of John W. Canary.

The bill was read.

The following committee amendment was read:

Strike out all after the enacting clause and insert the following: "That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the Treasury not otherwise appropriated, to pay to John W. Canary, \$461.50 for his services as first lieutenant Company I, Second Regiment Indiana Volunteer Cavalry, from October 31, 1863, to March 4, 1864."

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

Mr. MANN. Reserving the right to object, where does the committee get the amount named in the bill, \$461.50?

Mr. LOBECK. It is stated in the report:

The Treasury Department reports to your committee that if paid as a first lieutenant from October 31, 1863, to March 4, 1864, inclusive—

Mr. MANN. Yes; I read that.

Mr. LOBECK. Let me finish it—

deducting amount received as first sergeant, the amount due is \$461.50.

Mr. MANN. That possibly is the inference of the committee, or the clerk of the committee who prepared the report. The committee inserts the findings of the court, in which Judge Atkinson stated, apparently, that—

Said difference of pay and allowances being \$54.40.

Now, the committee gets the report from the Treasury Department showing that the Court of Claims was mistaken. I think the House would be entitled to the report from the Treasury Department. The gentleman will find in the opinion of Judge Atkinson, on page 2 of the report:

The claimant was, he alleges, commissioned by the governor of the State of Illinois October 24, 1864, as first lieutenant of Company I, Fifty-second Illinois Volunteer Infantry. At the date of his said commission and for some time prior thereto he had been first sergeant of his company and was enrolled and paid as such by the War Department up to the date that he was mustered in as first lieutenant, viz, December 17 of said year, and he now petitions Congress to allow him the difference in pay of a first sergeant and that of first lieutenant from the date of his commission to the day he was mustered in as a commissioned officer, said difference of pay and allowances being \$55.40.

Mr. LOBECK. That is not in this case; that is in the case of John W. Acker.

Mr. MANN. That may have been simply the opinion of the court.

Mr. LOBECK. The opinion was delivered in the case of Acker. He was a member of Company I, Fifty-second Illinois Volunteer Infantry, and Canary was a member of Company I, Second Indiana Volunteer Cavalry.

Mr. MANN. Did the committee have the letter from the Treasury Department?

Mr. LOBECK. Yes.

Mr. MANN. Why was it not included in the report?

Mr. LOBECK. I did not make up the report; the clerk of the committee made up the report.

Mr. MANN. It seems to me that if the committee leaves it to the clerk to make up the report, the report should give the information on which the committee makes its findings.

Mr. LOBECK. This man Canary was first sergeant up to October 24, 1863. He was made a lieutenant and acted as such up to March 4, 1864, but was paid as a sergeant. The Treasury Department says that the difference between the pay would be \$461.50. For a precedent of this case you will find it on page 4 of the report, where it says:

For precedent for paying claims of this character see joint resolution approved July 11, 1870, entitled "Joint resolution amendatory of joint resolution approved July 26, 1866," is hereby so amended and shall be so construed that in all cases arising under the same any person who was duly appointed and commissioned, whether his commission was actually received by him or not, shall be considered as commissioned to the grade therein named from the date his commission was actually issued by competent authority, and shall be entitled to all pay and emoluments as if actually mustered at such date: *Provided*, That at the date of his commission he was actually performing the duties of the grade to which he was so commissioned, or if not so performing such duties, then from such time after the date of his commission he may have actually entered upon such duties.

Mr. STAFFORD. Will the gentleman yield?

Mr. LOBECK. Yes.

Mr. STAFFORD. Can the gentleman give the House the reason why this claimant's application was rejected by the War Department when he applied under the general act of February 24, 1897? I direct attention to the last two lines on page 2 and the first three lines on page 3, which read as follows:

The act of February 24, 1897 (29 Stats., 593), makes provision for the pay of this class of officers, but limits it to such as can come within some of its provisions. The claimant made application for payment under that law, and was refused upon the decision of the War Department that he did not come within the provisions above mentioned; hence the introduction of the bill quoted and its reference to this court.

Mr. LOBECK. That refers to the Acker case.

Mr. STAFFORD. The report says the Canary case is on all fours as the Acker case. As I understand the facts, this man was commissioned by the governor of the State, and he did not receive the commission from the National Government until some time later. He may not have been performing the duties. There is nothing in the report to show that he performed the duties.

Mr. LOBECK. Oh, yes; there is.

Mr. STAFFORD. I mean there is nothing in the report of the department.

Mr. LOBECK. I read the report of the department, and this report was made up and I approved it.

Mr. STAFFORD. I understood the gentleman to say that this report was made up by the clerk. I do not challenge anything that the gentleman has gone over himself and states as a fact.

Mr. LOBECK. I read in the report of the department of his appointment as lieutenant October 31, and also the record of his service as contained in the records filed with the Committee on War Claims that accompanied the bill. It says that he actually did serve both in the field and that he recruited men for the service because his company had got below the actual number needed on account of loss of men in service.

Mr. STAFFORD. I direct the gentleman's attention to the opinion of Judge Atkinson, where he says:

From what has been said above the conclusion of the court is that this is not in any sense a legal claim against the United States, and is equitable only in so far as the Government received the benefits resulting from the services of the men who were enlisted by claimant to become volunteer soldiers in the United States Army.

Is it the purpose of the committee to compensate all these old, stale claimants whose claims have been rejected when they were presented under the general law?

Mr. LOBECK. This claim was not rejected. The report says, on page 2:

It may be asked why this claim was not referred to the Court of Claims "for the investigation and determination of facts" under section 151 of the Judicial Code, and the answer is, that such reference has been made and without results.

The fact is the man actually served as lieutenant from the time when appointed and did actual service and has not been paid, and probably his commission was delayed in being issued on account of the hurry of actual war and did not reach him until March 4.

Mr. STAFFORD. All these men acted, but they were commissioned by the governor, who did not have authority to award commissions binding on the National Government.

Mr. LOBECK. There was the usual red tape to go through before the commission could be issued, and still the men in the meantime were giving their services on the fields of battle to the country and Nation.

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

There was no objection.

The committee amendment was agreed to.

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

THEODORE DEHON.

The next business in order on the Private Calendar was the bill (H. R. 10201) for the relief of the heirs of Theodore Dehon.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of Theodore Dehon the sum of \$500, for the seizure of 100 bushels of rice, under misinformation, by Capt. Armstrong, and used to feed freedmen in Colleton district, South Carolina, in November, 1865.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

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

JAMES S. CLARK.

The next business in order on the Private Calendar was the bill (H. R. 13240) for the relief of James S. Clark.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal representatives of James S. Clark, of Fayette County, Ky., the sum of \$1,886, in full compensation for personal property taken and used and damages done in the use and occupation of real estate, all belonging to said James S. Clark, by the Army of the United States during the War with Spain in the months of August, September, October, November, and December, 1898, in and about the establishment and maintenance of a military camp at Camp Hamilton, in said county and State.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the committee amendments:

The Clerk read as follows:

Line 7, strike out the figures "\$1,886" and insert in lieu thereof the figures "\$250."

Line 8, strike out the words "damages done in the."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

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

The title was amended so as to read: "A bill for the relief of the legal representatives of James S. Clark, deceased."

BAILEY W. HAMILTON.

The next business in order on the Private Calendar was the bill (H. R. 8808) for the relief of Bailey W. Hamilton.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Bailey W. Hamilton, of Rockport, Spencer County, Ind., the sum of \$146, in full compensation for the loss of a horse during the Civil War, while he was a private in Company F, First Regiment Indiana Volunteer Cavalry.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I see in the exhibits in this bill that there is great confusion as to whether this claimant ever owned a horse.

Mr. LOBECK. Mr. Speaker, there is a good deal of evidence, I will say to the gentleman, that he did own the horse.

Mr. STAFFORD. The gentleman will concede that there is a great deal of evidence in the record that shows that he never owned the horse.

Mr. LOBECK. But the preponderance of evidence is the other way.

Mr. STAFFORD. But the gentleman will agree that there is evidence on both sides.

Mr. LOBECK. The preponderance of evidence is in favor of the man's owning the horse. The gentleman from Indiana [Mr. LIEB] is personally familiar with the case, having introduced the bill, and I would prefer to have him take charge of the bill from now on.

Mr. LIEB. Mr. Speaker, there is no controversy about the ownership, because this man Bailey W. Hamilton was the owner of this horse. The horse was in the battle at Marks Mills, Ark., in 1864.

Mr. STAFFORD. I direct the attention of the gentleman to the report of the second comptroller, as found on the bottom of page 3 of the report:

The second comptroller was also led to believe, as indicated in disallowance, that claimant was not in possession of horse on or about the date of the battle in which it was alleged horse was lost.

What has the gentleman to say about that?

Mr. LIEB. Mr. Speaker, I will say that when this Bailey W. Hamilton had turned the claim over to the claim agent here he filed part of the papers, and during the time this was under consideration in the department he was requested to furnish more evidence. In the interim the agent had died, and the man was too poor to get another, and he did not have anyone else to take up his claim, and it laid dormant until 1888, when the Representative in Congress took it up. They were short of one affidavit, and that was furnished by the man who sold the horse. There are also affidavits here of two or three others, who testified that he did own the horse, who knew that he bought the horse from this man Barnett. The affidavits are all here.

Mr. STAFFORD. There is considerable conflicting testimony, but I do not care to take the time of the House further, as the amount is very small and a good many years have elapsed since the facts occurred about which he could testify. I will give the benefit of the doubt to his failing memory.

Mr. HOWARD. Mr. Speaker, I would like to ask the gentleman from Indiana one question.

Mr. LIEB. I yield to the gentleman.

Mr. HOWARD. There is not any doubt about this being an Indiana horse? It was not an Arkansas horse?

Mr. LIEB. I do not know. He bought the horse down there. It might have been an Arkansas horse.

Mr. HOWARD. But he had the bona fide title to the horse?

Mr. LIEB. He bought the horse and paid for it with his own money.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the committee amendments. The Clerk read as follows:

Line 7, strike out the figures "\$146" and insert in lieu thereof the figures "\$123.93."

Line 8, after the word "horse" insert the words "and equipment."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

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

NAPOLEON B. GIDDINGS.

The next business in order on the Private Calendar was the bill (H. R. 851) for the relief of the legal representatives of Napoleon B. Giddings.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to cause to be investigated the circumstances of the alleged taking from Napoleon B. Giddings, in January, 1847, at Santa Fe, N. Mex., and depositing with A. B. Dyer, lieutenant of ordnance, United States Army, by order of Sterling Price, colonel commanding the Army in New Mexico at that time, of 140 kegs of gunpowder, and to ascertain and determine the reasonable market value of such powder at that time and place, and whether the same, or any part thereof, was ever returned or delivered back to said Giddings, and the final disposition of such powder; and if the same, or any part thereof, was never returned to or delivered back to said Giddings, then to certify to the Secretary of the Treasury the amount of the reasonable market value at that time and place of the powder so never returned or delivered back to said Giddings; and the Secretary of the Treasury is hereby authorized and directed to cause to be paid to the legal representatives of said Napoleon B. Giddings, the said amount so certified by the Secretary of War to be the reasonable market value of such powder as aforesaid.

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

Mr. MANN. Mr. Speaker, reserving the right to object, the claim here is, as I understand it, that the owner of the powder, or the man who became owner of the powder, and in whose behalf this bill is introduced, had a debt to him of \$1,950, and he took 140 kegs of powder in payment of the debt. The powder was then taken away from him; and 140 kegs of powder, 25 pounds to the keg, he says was worth \$150 a pound, which would make \$5,250. Now, does not the gentleman think it is going some for a man who can not collect a bill and takes merchandise for it and then wants from the Government three times what it cost him under doubtful circumstances?

Mr. GREGG. Will the gentleman yield for a moment? I want to call attention to the fact that this does not appropriate any money at all.

Mr. MANN. I understand; it never gives us another chance at it.

Mr. GREGG. It directs the Secretary of War to investigate and ascertain and determine what is the reasonable market value.

Mr. MANN. Determine the market value at the time, and the man swears the market value of the property was \$150 a pound, and there were 3,500 pounds, for which he paid by collecting a debt of \$1,950.

Mr. GREGG. I take it it means the Secretary of War should consider all that in passing upon the value of the property.

Mr. MANN. I do not see how the Secretary of War could. I do not know what the value of the property is or was, and how are you going to fix what the value was at that time, and it is quite likely that at that particular place, under the circumstances of war and a desire to get powder, it may have had a fancy value; I do not know.

Mr. BOOHER. I will say to the gentleman from Illinois it is easy enough for the department to ascertain what they paid for powder at that time at Santa Fe. Santa Fe was in the possession at that time of the United States troops. It had been threatened—

Mr. MANN. But the United States did not buy powder at Santa Fe.

Mr. BOOHER. I think they did.

Mr. MANN. Oh, no.

Mr. BOOHER. Where did they get it? How did the Army get its supply down there?

Mr. MANN. Took the powder there; they did not buy powder on the ground.

Mr. BOOHER. But they know what they paid for it.

Mr. MANN. And they are not buying powder at Vera Cruz.

Mr. BOOHER. Did not they buy powder during the Mexican War, and do not they know exactly what they paid for it?

Mr. MANN. They brought or sent it there.

Mr. BOOHER. That would be the market price, with freight added.

Mr. MANN. Not at all.

Mr. STAFFORD. It is stated—

Mr. MANN. He states the powder is worth in the market \$1.50, although he got \$5,250 worth of powder for collecting a debt of \$1,950.

Mr. STAFFORD. The report shows the powder was not taken for the use of the Government—

Mr. BOOHER. No; I desire to state—

Mr. STAFFORD (continuing). Until such time as it was safe to permit it to be vended. It was for the protection of the owner, and this powder was deposited with the Government, and the report shows, if I am not mistaken, that the owner never called upon the Government for his powder.

Mr. BOOHER. Oh, the report does not show anything of the kind. If the gentleman will read the report it will show that he called for the powder repeatedly.

Mr. MANN. He shows that he left the country and never went there afterwards.

Mr. BOOHER. The gentleman is mistaken about that.

Mr. MANN. It is in the report.

Mr. BOOHER. The gentleman says he left the country—he left the country with the Army to join Col. Price's regiment—

Mr. MANN. He left the country.

Mr. BOOHER (continuing). And served with that regiment during that war, and he also served and became a lieutenant colonel in the Federal Army in the War between the States.

He was the first Delegate in Congress from the Territory of Nebraska. He was not the kind of a man that the gentleman is trying to make out that he was.

Mr. MANN. Here is the statement and affidavit of the gentleman to the effect that two or three days thereafter deponent left Santa Fe and returned to his home in Missouri, and had never returned to Santa Fe, N. Mex., and so forth, "since which time deponent has never been notified that the property would be delivered up to him," and so forth. I think I was warranted in saying that the gentleman left the country. Of course I do not know, but I take it from his own statement.

Mr. BOOHER. That is correct. He joined—

Mr. MANN. That is in the report.

Mr. BOOHER. He joined Col. Price's regiment, went back to Santa Fe, and accompanied that regiment to California. That was his history. He came back to the country after the close of the Mexican War and his service in California, and then went to Nebraska and became the first Delegate in Congress from Nebraska.

Mr. MANN. His statement was that he left down there two or three days after the 1st of March, 1847, and went to Missouri.

Mr. BOOHER. Yes, sir.

Mr. MANN. And this powder was not taken from him until about the 1st day of January, 1847.

Mr. BOOHER. Yes.

Mr. MANN. And if between January, 1847, and March 1, 1847, he went to California and got back, it would be a hurried trip in those days, when there was no railroad transportation.

Mr. BOOHER. The gentleman has not a right to put that construction on my language.

Mr. MANN. I understood the gentleman to say that.

Mr. BOOHER. I did not say it that way. I said he went to Santa Fe and joined Price's regiment, and then went to California with that regiment for the relief of Fremont.

Mr. MANN. He went back to Missouri and did not return to Santa Fe.

Mr. BOOHER. Whether he went to New Mexico and joined it or not, I do not know, but I know his history is that he joined that regiment.

Mr. MANN. He ought to put that in his affidavit. He said he went home. Is the gentleman willing to accept an amendment to insert after the word "Giddings," in line 4, page 2, the language "and in the opinion of such Secretary the circumstances of the case render the United States liable for the full value of such powder," and then to insert after the word "Giddings," in line 7, "but not to exceed the sum of \$1,950"?

Mr. BOOHER. I am willing to accept the last amendment of the gentleman, because I think that is fair. I think the value that Col. Giddings put on this powder in his affidavit was the retail price of that powder, and the gentleman knows that would not be the market value the Government would pay. The market value of the powder if they paid for it would be what the Government was paying for powder at that time, and no doubt the records of the War Department would show it. Now, if the gentleman thinks the \$1,950 he paid for it is sufficient, I will not object to the amendment.

Mr. MANN. He did not pay for it. He took that in cancellation of a debt.

Mr. BOOHER. He took that in part payment. He canceled that much of it. We ought to make the statement fairly. I do not know how much they owed him, but he took that in part payment of his debt, and took it at that price. And it seems to me—and I want to be frank—that ought to be a fair value for his property, and I will agree to that amendment. I do not like to agree to the other.

Mr. MANN. Here are the circumstances of the case. There is absolutely nothing to show the Government is liable for this powder. The Government seized the powder with the direction that it should be returned to this man when he asked for it and it was suitable to give it back to him. He asked for it before he left Santa Fe, but he left Santa Fe almost within a month of the time it was seized, and they did not desire powder in the hands of private individuals there at the time. I do not know what became of the powder, and there is nothing here to indicate it.

Mr. BOOHER. The presumption is that the party who took it got the benefit of it.

Mr. MANN. The Government did not seize this powder because it wanted to use it at all. It seized it so that other people could not use it. Now, it seems to me if the Secretary investigates the case and finds the Government is liable, it may be proper to pay it, but to direct the Secretary to pay it when the Government may have a complete equitable defense would hardly seem fair.

Mr. BOOHER. Well, does the gentleman think that if they had any other defense than is set out here in the report they would have made it? There has been no time when the Government has said it was not liable for this powder, and this bill has been reported repeatedly since the Thirty-fifth Congress, in both House and Senate, time and time again.

Mr. MANN. There is nothing in the report to show that the Government ever said it was liable.

Mr. BOOHER. No; but the Government was liable for the value of that powder unless the Government shows that it returned the powder to the man that it belonged to.

Mr. MANN. I do not know what the law may be. The Government may be seizing arms out in Colorado now and impounding them, and Government officials might be saying to a man from whom they take arms that he is entitled to get them again. Is the Government liable for the value for the arms the moment it seizes them?

Mr. BOOHER. Oh, no.

Mr. MANN. I do not know whether it is or not. I do not pretend to say. But if a man will not go back and get the arms, that would make the Government liable the moment it seized them.

Mr. BOOHER. Suppose the man did demand the return of the arms and the Government refused to give them up?

Mr. MANN. The man demanded this powder within practically a month at that time, but they are not willing to let the powder go out. It might have been used against the Army. Whether he could have gotten it or not I do not know. It seems to me that that would be a very fair amendment, to let the Secretary of War determine whether the circumstances render the Government liable.

Mr. GREGG. What is the amendment, please? I did not hear it.

Mr. BOOHER. What was the first amendment which the gentleman proposed?

Mr. MANN. To insert, after the word "Giddings," in line 4, page 2, the words "and in the opinion of such Secretary the circumstances of the case render the United States liable for the value of such powder," so that in making the investigation he shall investigate the circumstances and make the findings and have the facts that make the Government liable to pay the money.

Mr. GREGG. I do not see any objection to that amendment.

Mr. BOOHER. I will agree to that amendment. Now, the other amendment—let us talk about that for a moment. I do not know whether that is a fair amendment or not. Would it not be better to put in the price of powder at that time?

Mr. MANN. There was no price of powder at that place except to private individuals. Powder may have been worth \$10 a pound at Santa Fe at that time.

Mr. ELDER. I think the price of powder would be the amount it was worth at the nearest place at which it could be bought, plus the freight to Santa Fe.

Mr. MANN. No; the price that prevailed at the place where the Government seized it would be the market value.

Mr. ELDER. What I was trying to suggest was that if the powder was worth more than \$1,950 the claimant is entitled to it.

Mr. MANN. Suppose at a certain place—for example, at Tampico, Mexico—eggs are a dollar apiece. What does the Government have to pay? A dollar apiece—the price in China or at Tampico?

Mr. ELDER. The price at Tampico. The Government bought no powder in Santa Fe. The only other way to arrive at it would be to find out what price was being paid for powder at Santa Fe, what the Government was paying in the closest open market, plus the freight to Santa Fe.

Mr. MANN. I think that is true. But here is a man who says the value of powder there was \$1.50 a pound.

Mr. ELDER. If it is worth more than \$1,950 he should not have been deprived of the price.

Mr. MANN. He ought to be paid what he paid for it.

Mr. BOOHER. He has waited 67 years for it. I am inclined to think if we do not accept the gentleman's proposition he will object to my bill, and the claimants will not get anything. I have suffered at his hands three times already on this bill, and I will now accept his proposition. [Laughter.]

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

There was no objection.

Mr. BOOHER. Now, Mr. Speaker, will the gentleman from Illinois send up that amendment?

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 4, after the word "Giddings," insert the words "and in the opinion of such Secretary the circumstances of the case render the United States liable for the value of such powder"; and after the word "Giddings" in line 7, page 2, insert the words "but not to exceed the sum of \$1,950."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. BOOHER, a motion to reconsider the last vote was laid on the table.

SNARE & TRIEST CO.

The next business in order on the Private Calendar was the bill (S. 1369) for the relief of the Snare & Triest Co.

The bill was read.

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

Mr. MANN. I object.

FLORINE A. ALBRIGHT.

The next business in order on the Private Calendar was the bill (H. R. 6880) to carry out the findings of the Court of Claims in the case of Florine A. Albright.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to Florine A. Albright the sum of \$14,640, in full compensation for stores and supplies taken by the United States Army during the Civil War, and reported by the Court of Claims in Senate Document No. 466, Fifty-ninth Congress, first session.

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

Mr. STAFFORD. I object.

Mr. ELDER. I wish the gentleman would reserve the right to object.

Mr. STAFFORD. I have no objection to reserving the right.

Mr. ELDER. I thank the gentleman for that. I should like to make as short and succinct a statement as possible in regard to this bill.

A great many years ago, I think about 1872, a claim was filed, originally by Sterling T. Austin and later by his heirs, for some cotton, mules, and other property taken by the Government in East Carroll Parish, State of Louisiana. It was finally held by the Court of Claims that some \$59,000 of cotton was taken. As a matter of fact, there was between \$200,000 and \$300,000 worth of cotton taken, and the court found that there was \$14,640 worth of mules and other property taken.

There were two different provisions of law, one in regard to cotton and the other in regard to captured and abandoned property; and in order not to mix these two claims they finally

dropped from the amount the mules and other property taken and concentrated their efforts on the cotton; and in 1898, during a Republican Congress, in face of the findings of the Court of Claims that Sterling T. Austin had been constructively disloyal, Congress passed a bill, and the claim of \$59,000 for cotton was paid. In a long debate in the House, found on page 2484 of the CONGRESSIONAL RECORD of 1898, it was made to appear that while the Court of Claims had held this man to be constructively disloyal, purely for the reason that he lived in the South, yet as a matter of actual fact he had been loyal to the Union, so far as it was possible and convenient to his health in those trying times, and that he was entitled to his money. For this reason, as I say, Congress passed a bill to pay the claim for the cotton. Now, this bill is for the remaining amount, for the mules and other property, besides the cotton. The Court of Claims has found that the Government did take this property, and as a matter of simple justice I think the Government ought to pay for it.

A little history in this particular case: While the Government has only paid \$59,000 for cotton taken, it actually received, according to the proof, over 1,200 bales of cotton from this man, a two years' crop, and it actually brought between \$200,000 and \$300,000; but all they could establish with absolute certainty was this amount of \$59,000, as well as this amount of \$14,640 for other property.

This happened in the neighborhood of Vicksburg, where the fighting was very hot, and the Union officers testified that this man was a Union sympathizer, and that all that had ever been done that could be held against him, outside of living within the Confederate lines, was that two or three of his negroes out of several hundred were taken by the Confederates and used in building embankments and entrenchments, and that he did not dare resist their use.

He was later appointed postmaster in the little town of Lake Providence in the seventies, during the hot days of reconstruction. His son, under a Government rule, was appointed probate judge there. Both father and son were killed in that town on the same day as a result of the ill feeling over the southern question. While I have no sympathy with them, being a southerner, yet I think as a matter of justice these people are entitled to this money, and in my opinion they were unquestionably loyal to the Union during the war. It is a matter of doing simple justice.

The Government takes the property of these people without the right of law. The only right they had was the right of necessity, a necessity that war brings on. The Court of Claims has found that this property was taken and used by the Government. Now, why should not the Government pay them? A Republican Congress, as I said a moment ago, an overwhelming Republican Congress, in the face of this same finding held that they were not really disloyal but loyal to the Union. If necessary I would like to read to the gentleman from the CONGRESSIONAL RECORD of 1898 what some Republican leaders said in that case in regard to this particular claim.

Mr. MANN. Was that in the House?

Mr. ELDER. It was. Mr. Mahon said, "I yield 20 minutes to the gentleman, Mr. Updegraff."

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

Mr. ELDER. Certainly.

Mr. MANN. Does not the gentleman think that this is a claim which ought to be considered and discussed in the House? It can not be done very well upon a Unanimous Consent Calendar. I think the claim will be reached some time for real consideration.

Mr. ELDER. I think it can get real consideration now. I realize that if any gentleman does not want it considered he can put it hors de combat.

Mr. MANN. I have no objection to its being considered now, but I want to say to the gentleman that I shall want to be heard on it for at least half an hour whenever it is considered.

Mr. ELDER. The gentleman understands that if this is not taken up now it will not be considered at all.

Mr. MANN. I think the gentleman is mistaken; I have had some experience in the House.

Mr. ELDER. Of course the gentleman has had much more experience than I have, but in the shape the calendar is in I do not think we will get to consider it.

Mr. MANN. This bill is on top of the calendar, and one of these days the War Claims Committee will have a day undoubtedly, and, in my opinion, this bill will be reached.

Mr. ELDER. Does not the gentleman think there is enough merit in it to be passed by the House? I know that the gentleman from Illinois wishes to do the fair thing, and this has been already passed on by a Republican House.

Mr. ROBERTS of Massachusetts. Will the gentleman yield? Mr. ELDER. Certainly.

Mr. ROBERTS of Massachusetts. Does the gentleman from Louisiana think it is fair to other Members who have bills on the calendar, the understanding being that only those receiving unanimous consent shall be taken up, to inject his bill at this time, knowing that it will invite a long discussion and therefore shut out any possible consideration of many bills behind it that, if they could be reached, would go through without objection?

Mr. ELDER. I do not think it is unfair because any Member can shut off discussion by objecting to even an explanation. We certainly, even in cases of unanimous consent, can not expect all bills to go through without some little discussion.

Mr. ROBERTS of Massachusetts. The gentleman has already consumed 15 minutes.

Mr. ELDER. I would like to have half an hour.

Mr. STAFFORD. Mr. Speaker, when I made the original objection I had read the report and was fully acquainted with it, and recognized that it was an important claim amounting to \$14,000, and involving the claim of loyalty on the part of the claimant. I thought it would expedite business to object, and I reserved the objection to accommodate the gentleman from Louisiana.

The SPEAKER pro tempore. Does the gentleman from Wisconsin object?

Mr. STAFFORD. I object.

EDWARD WILLIAM BAILEY.

The next business on the Private Calendar was the bill (H. R. 5832) for the relief of Edward William Bailey.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the United States Treasury not otherwise appropriated, to pay to Edward William Bailey, of Portsmouth, Va., the sum of \$1,500, for injuries resulting from the total loss of one eye and the serious impairment of the other eye, caused by a wound received by him at the hands of a target party of United States sailors and marines, while engaged at target practice at St. Helena, near Norfolk, Va., on or about November 7, A. D. 1890.

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

Mr. MANN. I object.

MARGARET M'QUADE.

The next business on the Private Calendar was the bill (S. 1922) for the relief of Margaret McQuade.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Margaret McQuade, widow of the late Edward McQuade, alias Edward Quade, out of any money in the Treasury not otherwise appropriated, the sum of \$840, as compensation for the death of the said Edward McQuade, alias Edward Quade, caused by and in the performance of his duties as an employee in the Government service in the War Department.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of the chairman of the committee as to the policy of compelling the Government to pay claims for injuries received by a Government employee in performing services of a private character for a Government official, as I believe this case is. I believe McQuade was at the time a driver for Secretary Dickinson. He was driving the Secretary's child and the governess for pleasure, and while he was driving the horses became riotous. He did his duty and saved the occupants of the carriage, but he himself suffered injury. Why should not Secretary Dickinson, for whose benefit he was virtually performing the service, be the person responsible for compensating his widow for the injuries?

Mr. POU. I will say to the gentleman that this man who lost his life was an employee of the Government, and was detailed by his superior officer to the position of driver for the Secretary of War. He had no control over his assignment. He could not resign, and he is as much an employee of the Government as any other of these persons for whose death we compensate.

Mr. STAFFORD. While he was an employee of the Government, yet it was a service that he was not performing for the Government, but was performing for the Cabinet officer personally.

Mr. POU. Certainly he was performing service for the Government, because the Government furnishes these Cabinet officers with drivers. The man was not master of his own actions; he was strictly in line of duty.

Mr. STAFFORD. In line of duty of his employer, Secretary Dickinson, but not performing the work of the Government.

Mr. POU. Secretary Dickinson did not employ him.

Mr. STAFFORD. Yes; but Secretary Dickinson was availing himself of his services for doing some personal work.

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

Mr. STAFFORD. Certainly.

Mr. MANN. The Government provides Cabinet officers and the President with carriages for all purposes. The Government also provides the drivers, and it is intended that those carriages shall be used by the wives of the Cabinet officers and by the wife of the President. We provide the drivers. If we are going to pay any Government employee compensation for injuries received why should not these drivers stand in the same position as anyone else, no matter whom they are driving? We provide the carriage not merely for the use of the Cabinet officer to go from his home to his office, but for the use of his wife and his children, if he wishes to give his children the use of it. We assign the man to do the driving just like any other employee. I do not see any distinction.

Mr. STAFFORD. Then I assume the gentleman's position, carried to a logical end, would mean that if one of these chauffeurs operating automobiles for the Government, assigned by the Government for the benefit of officials, for official service, should utilize the automobile in social-function work—

Mr. MANN. But, if the gentleman will permit, we expressly forbid that these automobiles shall be used for social-function work.

Mr. STAFFORD. The gentleman will pardon me, but if in doing that social-function work the chauffeur is injured, I take it, according to the gentleman's logic, the Government is liable for the injury.

Mr. MANN. The gentleman evidently does not get the distinction. We especially provide that the vehicles owned by the Government, except those for the President and the Cabinet officers and the secretary of the President, shall not be used for social functions, but we have always provided these carriages for use socially of the wives of the members of the Cabinet or for the wife of the President. The gentleman would not contend for a minute that with several automobiles for the use of the President it was not proper for the President's wife to ride in one for social purposes?

Mr. STAFFORD. Oh, no.

Mr. MANN. But, for instance, in the case of the vehicle that is provided for the use of the Printing Office the law forbids that it shall be used for anything except official purposes. That prohibition does not extend to these Cabinet officers, and hence the distinction. These drivers are employees of the Government while performing these social functions, and they can not refuse to perform the services. They have to perform that work if they are employed at all.

Mr. STAFFORD. Mr. Speaker, I recognize that this claim is most meritorious. I assume this widow is in needy circumstances, and yet I question whether the Government should be responsible—

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield a little further?

Mr. STAFFORD. For injuries arising out of employment which is not of a governmental character, such as the work in this instance. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. Mr. Speaker, this bill was before the House in the last Congress, and the very question which the gentleman now raises was very fully discussed at that time for, I think, three-quarters of an hour or an hour. After going very carefully over the matter, at the conclusion of the discussion every one I think concluded the man was performing a proper governmental service and the bill went through unanimously.

Mr. STAFFORD. Mr. Speaker, I recognize that I missed much during the two years that I was out of Congress, and I suppose that this was when this bill was considered last. Inasmuch as it was given favorable consideration at that time and the House unanimously believed it was a proper claim, I shall not raise objection at this time.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

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

T. J. SEMMES.

The next business in order on the Private Calendar was the bill (H. R. 11381) for the relief of the estate of T. J. Semmes, deceased.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Myra E. Semmes, executrix and sole legatee of T. J. Semmes, late of New Orleans, deceased, \$395.55 in full payment for rents collected by the United States during the Civil

War from property owned by the said T. J. Semmes and situate at New Orleans, La.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The committee amendment was read, as follows:

Page 1, line 6, strike out the words "and sole legatee."

The amendment was agreed to.

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

RICHARD C. REED.

The next business in order on the Private Calendar was the bill (S. 3997) to waive for one year the age limit for the appointment as assistant paymaster in the United States Navy in the case of Landsman for Electrician Richard C. Reed, United States Navy.

The Clerk read as follows:

Be it enacted, etc., That the age limit for appointment as an assistant paymaster in the United States Navy in the case of Landsman for Electrician Richard C. Reed, United States Navy, be, and the same is hereby, waived for one year.

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

Mr. MANN. Reserving the right to object, who has charge of the bill?

Mr. WITHERSPOON rose.

Mr. MANN. May I ask the gentleman what is a "landsman for electrician"?

Mr. WITHERSPOON. I suppose I can give a correct answer to that question, as the gentleman from Illinois has already told me how to answer it.

Mr. MANN. I did not know.

Mr. WITHERSPOON. The title, as I understand it in the Navy—I never heard of it until this bill came up—

Mr. MANN. I understand this man is now in the Navy as an enlisted man holding that title?

Mr. WITHERSPOON. Yes, sir.

Mr. MANN. In the electrical department, and took an examination for appointment as paymaster, and they were slow in marking up his papers for some reason, or marking up the papers.

Mr. WITHERSPOON. His papers were passed. It seems he had to be examined to get an appointment as assistant paymaster, and his papers were examined and approved on the day before he became 26 years old. The law provided that he could not be appointed after he is 26 years old. Now, it also provided that he had to be appointed by the President and confirmed by the Senate, and it happened on this one day on which he was to get his appointment the President was out of town and the Senate not in session, so he lost it on account of no fault of his, and the committee thought that that provision of the law should be waived in his case.

Mr. STAFFORD. Will the gentleman yield?

Mr. WITHERSPOON. Yes, sir.

Mr. STAFFORD. Does not the gentleman think it is a bad practice to make a special rule for just one individual? Why not raise the age limit? Is it not class legislation of the worst sort?

Mr. WITHERSPOON. I do not think so. I do not think it is ever a bad practice to do what is right.

Mr. STAFFORD. Have not a thousand and one persons outside the service the same right to have the age limit raised?

Mr. WITHERSPOON. Yes; I think if a thousand persons should take the examination and pass it satisfactorily and it be determined that they ought to be in office, and then the authorities should delay the examination of those papers until the day before the age limit was reached and then the President and Senate should leave the city, I think that thousand should have the limit waived in their case.

Mr. STAFFORD. The gentleman is aware that the same condition may occur in different branches of the civil service where the age limit is reached and the person is no longer eligible, and yet you are favoring this person just because he is in the service to-day.

Mr. WITHERSPOON. No; I do not think another case like this will occur in a thousand years. That is my judgment about it.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

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

EMORY SCOTT LAND.

The next business in order on the Private Calendar was the bill (H. R. 1366) for the relief of Emory Scott Land.

The bill was read.

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

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the Clerk will report the next bill.

CAPT. HAROLD L. JACKSON, RETIRED.

The next business in order on the Private Calendar was the bill (H. R. 4492) to restore Capt. Harold L. Jackson, retired, to the active list of the Army.

The bill was read.

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

Mr. MANN. Mr. Speaker, I object.

Mr. COPLEY. Mr. Speaker, I wish my colleague would reserve his objection until this matter has been presented.

Mr. MANN. I will reserve the objection for a moment.

Mr. GARRETT of Tennessee. Does the gentleman intend to object in the end?

Mr. MANN. Well, sometimes a gentleman may give such information—

Mr. GARRETT of Tennessee. Then we will end the agony now.

Mr. COPLEY. The agony is just beginning, I will say to the gentleman.

Mr. GARRETT of Tennessee. If it is the purpose of the gentleman from Illinois finally to object, I will end the agony now.

Mr. FOSTER. Maybe we can overcome the gentleman from Illinois [Mr. MANN].

Mr. COPLEY. I hope my colleague will reserve his objection.

Mr. MANN. So far as I am concerned, I am reserving it.

Mr. COPLEY. Now, Mr. Speaker, this is the situation: This matter has been presented to the Military Affairs Committee of this House three separate times, and in each instance has been unanimously reported favorably to this House. The bill has passed the House once and it has passed the Senate twice. The first time it passed the House and Senate it reached the President too late for his signature. It was not vetoed, but did not become a law. If any man will read the bill and read the committee's report, I am sure there must be some reason for his objection that I do not know, and it will give me great pleasure if my colleague will give his reasons for objecting to the bill.

Mr. MANN. I can tell the gentleman very quickly that I am opposed to any bill that restores a man in the Army and puts him back to the same rank and relative position he would have held if he had not been retired. I think it is a lot of gall for anybody to want to go back in the Army at the same place he was when he went out.

Mr. COPLEY. This man was retired involuntarily. He has again recovered his health, and he has served on active duty all but about six weeks since the time he was retired.

Mr. KAHN. Will the gentleman yield?

Mr. COPLEY. With pleasure.

Mr. KAHN. This is an unusual case. This man was examined by the medical officers of the Army, who held he was afflicted with Bright's disease. The young man thereupon was retired. The years rolled on. He protested against the decision of the Army board of survey that found he had Bright's disease, and he could get no satisfaction. If he had had Bright's disease, he would have been dead long ago. As a matter of fact, he has been examined a number of times since then, and they have always found that he did not have Bright's disease, and the committee felt that under those circumstances where the disease of the man was erroneously diagnosed by the board through no fault of his he ought not to suffer in consequence.

Mr. MANN. Here is one of those cases where if a Member of Congress had Bright's disease, or thought he had—

Mr. KAHN. He did not think so.

Mr. MANN. Or his constituents thought he had something more fatal and kept him home for two years and he wanted to get back, he would want to go back at the top. The rest of the Members of Congress never look at it in that way.

Mr. COPLEY. The fact of the matter is that this man was retired involuntarily. He wanted to go back, and his colonel told him if he went back he would be retired, and he was retired, but has been in active service ever since. He was mentioned in special orders in the Philippines. He has been doing active service, and he wants to get back, and the report of the committee itself is in these words:

The bill simply allows the officer an opportunity of appearing before an examining board, with a view of determining whether he is fit mentally and physically for active service. If he is, he may be restored to the active list. If he is not, he remains where he is.

The Committee on Military Affairs, to which this bill was referred, considers this an act of simple justice, and so reports. Now, I hope my colleague will not press his objection.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I am very sorry not to accommodate my colleague, but I am very fixed in my views on this. I object.

Mr. COPLEY. Mr. Speaker, I give notice now that the House may as well adjourn. I will object to every private bill that comes up to-night from now on.

Mr. MANN. The gentleman will never get his bill through, anyhow.

Mr. COPLEY. I do not care. I will never get it through anyhow if you can help it, and you know it.

Mr. MANN. The gentleman will not help his cause in that way, either.

Mr. COPLEY. I have no cause that I know about.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects. The Clerk will report the next bill.

JOHN W. HYATT.

The next business in order on the Private Calendar was the bill (H. R. 4744) to authorize the appointment of John W. Hyatt to the grade of second lieutenant in the Army.

The bill was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint John W. Hyatt, late a second lieutenant in the Sixteenth Regiment United States Infantry, to the grade of second lieutenant in the United States Army: *Provided,* That prior to such appointment the said John W. Hyatt shall pass, in a manner satisfactory to the Secretary of War, the physical examination required of candidates for appointment as second lieutenant.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The Clerk will report the next bill.

ERIK J. AANRUD.

The next business in order on the Private Calendar was the bill (H. R. 4318) to authorize the Secretary of the Interior to cause patent to issue to Erik J. Aanrud upon his homestead entry for the southeast quarter of the northeast quarter of section 15, township 159 north, range 73 west, in the Devils Lake land district, N. Dak.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause patent to issue to Erik J. Aanrud upon his homestead entry for the southeast quarter of the northeast quarter of section 15, township 159 north, range 73 west of the fifth principal meridian, serial No. 02727, Devils Lake land district, N. Dak., notwithstanding his two prior entries, which embraced 120 acres: *Provided,* That the present entry for 40 acres be in all other respects complete and proper.

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

There was no objection.

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

The SPEAKER pro tempore. The Clerk will report the next bill.

THOMAS J. LEARY.

The next business in order on the Private Calendar was the bill (H. R. 3960) to correct the lineal and relative rank of First Lieut. Thomas J. Leary, Medical Corps, United States Army.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to advance First Lieut. Thomas J. Leary, Medical Corps, United States Army, to the grade of captain in the Medical Corps with rank of captain from the 5th day of August, 1912, and to cause his name to appear upon the lineal list of captains of the Medical Corps next below that of George D. Heath, of the same corps: *Provided,* That he shall successfully pass the examination for promotion from the grade of first lieutenant to the grade of captain in the Medical Corps as required by existing law: *Provided also,* That he shall receive pay as captain only from date of acceptance of his commission as such under the terms of this act.

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

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. HOWARD. I hope the gentleman will withhold his objection.

Mr. MANN. I will withhold it.

Mr. HOWARD. This is not a restoration of this officer to the service.

Mr. MANN. It is a worse case than that.

Mr. HOWARD. No, sir. If the gentleman will permit me to explain this case, I think he will not interpose any objection.

Mr. MANN. If the gentleman wants to explain it for my benefit, he does not need to do it, because I am thoroughly familiar with the case.

Mr. HOWARD. There are some facts in this case that are not included in the report I drew and which, if known at the time, I would have incorporated.

Mr. MANN. Let me ask the gentleman a few questions.

Mr. HOWARD. Yes.

Mr. MANN. This man was in the Medical Corps in the Philippines?

Mr. HOWARD. Yes, sir.

Mr. MANN. And resigned and went out of the service, and about a month afterwards he applied for appointment in the service again, and was appointed again? He went in as a lieutenant, and now, having gotten back in, he wants to be put at a higher place than he holds now, a little lower than he would have held if he had remained in the service, and does not want to take any of the punishment that comes from leaving the service?

Mr. HOWARD. Yes; he takes the punishment of the loss of 15 files.

This gentleman is a constituent of Mr. VARE, of Pennsylvania. The circumstances are these: Lieut. Leary's father was stricken with serious illness in Pennsylvania. He received this information just four days before he left the Philippine Islands, after serving in the treatment of cholera at an isolated post in the Philippines. At the time he received this message from his relatives as to the serious illness of his father he resigned from the service. It took him 29 days to cross the Pacific Ocean and land in California. Upon his landing in California he received a communication from his relatives, which was then and there waiting for him, to the effect that the doctor had pronounced his father so much better that it would be unnecessary to come home to help take care of him, whom he thought was a helpless invalid.

He immediately telegraphed to the War Department, asking to withdraw his resignation. Surg. Gen. Torney directed him to stand another examination, and he stood that examination immediately afterwards in Washington; and in all he was out of the service less than 40 days. That is, from the day he left the Philippine Islands to the day he stood the examination for readmission to the service, he was out of the service only 40 days.

Now, I want to say this to the gentleman from Illinois: This young fellow is an exceptionally fine officer. He has lost 119 files by this resignation. Every classmate that entered with him will not only be pleased, but will be delighted if he is advanced to the rank that they now have attained. But he goes to the foot of it, and he loses 15 files in addition. He is still in the Medical Corps. If the young man loses these files, the promotion being very slow in the Medical Corps, before this young doctor, Leary, who is now 34 years old, will be a major in the Medical Corps at the present rate of promotion he will be an old man. He is now performing a large per cent of all the surgical operations that are performed in the Walter Reed Hospital in this town. I have only met him once or twice in my life.

There is not a finer young officer in the United States Medical Corps than this young man, and under the circumstances of his resignation I think his affection for his father and his willingness to give up a service to which he was devoted should receive due consideration. He was not running away from any service that might be obnoxious to him. He had spent much time in this cholera camp, diagnosing cases over there in an isolated camp where he could not even visit his wife and baby.

The circumstances of his resignation and reentry into the service make this an exceptional case; and in view of the magnificent record of this young man, who has willingly accepted his medicine, I hope the gentleman will not object to it. This bill was inspired by the late Surg. Gen. Torney. It was favorably recommended by Mr. Stimson when he was Secretary of War, and under this administration the department have heartily concurred in the recommendations of the former Secretary of War, and have said that because of the exceptionally fine record of this young man they would be delighted to see him receive the relief which this bill will give him.

Mr. VARE. Will my colleague yield?

Mr. HOWARD. Certainly; with pleasure.

Mr. VARE. Has not this young surgeon had actual charge of the Walter Reed Hospital during the last two years?

Mr. HOWARD. Yes.

Mr. VARE. Has he not been a special assistant to Maj. Rhodes?

Mr. HOWARD. In fact, when Maj. Rhodes was detailed to the White House under the former administration this young Dr. Leary, as I am informed, had absolute charge of that great hospital out there. I am frank to say that if I thought this was doing anybody an injustice I would not espouse the cause of this young man or urge the passage of this bill; but it does absolutely nobody an injustice. He goes to the foot of his class, and he is penalized 15 files by his resignation, which absolutely amounted to nothing, in view of the fact that immediately upon his arrival in Washington he sought an examination and went back into the service. I know the gentleman from Illinois is averse to bills of this character; but this young man is in the service. He resigned under a misapprehension as to the condition of his father, and immediately upon being correctly informed as to the condition of his father's health he made an application and stood the examination for reentry into the service, and has never shrunk from any duty imposed. In view of this fact, it seems to me that Congress could well strain a point and give him this relief. He goes to the foot of his class.

Mr. VARE. Will my colleague yield again?

Mr. HOWARD. With pleasure.

Mr. VARE. As I understand it, if Lieut. Leary was promoted to be a captain he would not take the place of any other captain?

Mr. HOWARD. Absolutely nobody.

Mr. VARE. He would take the last captaincy?

Mr. HOWARD. The last captaincy in his class, at the foot of the list. He has lost 15 files, and everybody below him—all of the lieutenants in the grade in which he now is—would welcome the passage of this bill.

Mr. MANN. There are some very good Army officers who have got the notion into their heads that they can get promotion by special acts. The first thing that an Army officer ought to learn is that he must suffer the consequences of any act that he performs; that personal solicitation will not remove the consequences; and an Army officer who does not learn that is not much good in the service if he gets back and is advanced. I honor the young man if he resigned on account of the health of his father, but he is the one to take the consequences, not the men who remained in the service. I am utterly opposed to advancing men in the Army by acts of Congress, which are acts of special favoritism at the best, and the case of this young man probably would never have received any consideration if he had not been living in Washington.

Mr. HOWARD. Will the gentleman permit me to interrupt him? I want to say that this young man is not seeking any influence of any congressional aid.

Mr. MANN. He is seeking the influence of all congressional aid.

Mr. HOWARD. Just as I stated awhile ago, the introduction of this bill in the last Congress—when it was favorably reported and put on the calendar, but never reached on account of the congestion of business—was inspired not by young Leary, but by the late Surg. Gen. Torney, who had a very great affection for this young man, and considered him one of the best men in the medical corps. He is a bright, willing young man, expert in his profession, and I hope the gentleman from Illinois will not object to this bill, but will let it pass. It hurts nobody.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

Mr. POU. Mr. Speaker, I want to say here that we have just 50 minutes left. There is going to be opportunity later for discussion of all contested bills, and I think we ought to have the regular order from now on, in justice to gentlemen who have bills on the calendar. I demand the regular order.

STEPHEN MORRIS BARLOW.

The next business on the Private Calendar was the bill (H. R. 9536) for the relief of Stephen Morris Barlow.

The Clerk read the bill in full.

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

Mr. MANN. I object.

CHARLES A. DAVIDSON.

The next business on the Private Calendar was the bill (H. R. 3041) to carry into effect the findings of the Court of Claims in the cases of Charles A. Davidson and Charles M. Campbell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of the money in the Treasury not otherwise appropriated, the sum of \$750 to Charles A. Davidson, and the sum of \$750 to Charles M. Campbell, late clerks of United

States courts in Indian Territory, in pursuance of the findings of fact reported to the United States Senate by the Court of Claims in the cases of Charles A. Davidson and Charles M. Campbell *v.* The United States, No. 14046, congressional.

The SPEAKER pro tempore. Is there objection?

Mr. DAVENPORT. Mr. Speaker, I would like to read a letter which I received from the Department of Justice. It is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., May 5, 1914.

Hon. JAMES S. DAVENPORT,
House of Representatives.

DEAR SIR: Permit me to acknowledge your letter of May 2, inclosing a copy of House bill 3041, Sixty-third Congress, first session, and a report upon it by Mr. STEPHENS of Mississippi, from the Committee on Claims, and to say that the facts pertaining to the claims of Charles A. Davidson and Charles M. Campbell are fairly and accurately reported by the court in the findings of fact certified to Congress.

I have no further objection to urge to the payment of these claims.
Very truly, yours,

J. C. McREYNOLDS, Attorney General.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

W. W. BLOOD.

The next business in order on the private calendar was the bill (H. R. 1515) for the relief of W. W. Blood.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to W. W. Blood, of Greenville, Plumas County, Cal., the sum of \$439.09, in full payment for all work and labor done and performed by him for the Government of the United States or its official representatives at the Indian school near Greenville, Indian Valley, Plumas County, Cal., during the year 1907.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to get some information, besides that contained in the report, as to the reason why this man did not receive compensation from the department for the work performed. There is nothing in the report to show why he was not paid by the department.

Mr. RAKER. By reference to the report of the department for this year the gentleman will find that by the time he got around to get his pay the time limit under section 3690 of the Revised Statutes had passed and the appropriation had lapsed.

Mr. MANN. I would like to ask how he managed to get such a report out of the Assistant or Acting Assistant Secretary of the Interior where he says:

In view of the facts as developed by the investigation made, it appears Blood actually performed work and furnished material from which the Government benefited, and that he has an equitable claim.

The department has no authority to pay anything but a legal claim, and the department knows it.

Mr. RAKER. There is no question that had the money not been returned to the Treasury or lapsed the man would have received his money.

Mr. MANN. Oh, the department does not pay equitable claims.

Mr. RAKER. The Greenville Indian School is about 150 miles from where I live. I am acquainted with the school, the conditions, and the man. The man performed the work and furnished the material, and the money had been appropriated for building the school.

Mr. STAFFORD. Was the work accepted as soon as performed?

Mr. RAKER. It was, and the record so shows.

Mr. STAFFORD. I can not find anything in the report; otherwise I should not have asked the gentleman the question.

Mr. RAKER. I take it to be in the report; I think it is.

Mr. DONOVAN. Mr. Speaker, I demand the regular order. This session was to be for uncontested cases.

Mr. STAFFORD. This may be an uncontested case.

Mr. DONOVAN. But it was to be for cases where there was no objection.

The SPEAKER pro tempore. The regular order is to put the question. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker—

Mr. DONOVAN. The gentleman must object or not.

Mr. STAFFORD. Mr. Speaker, if we can not reserve the right to object, we might as well quit right here.

Mr. DONOVAN. This was to be for cases where there was no objection.

Mr. STAFFORD. If the gentleman from Connecticut will withhold his demand for the regular order. Here is a case where the report is defective, where it does not show the reason why the claim was not paid by the officer, and the Acting Secre-

tary of the Interior says that it is an equitable claim. The inference arises that it was not a legal claim, and therefore the department refused to pay it. The gentleman from California, who is acquainted with the facts, is giving those facts to the House, so that we can come to some decision on it.

Mr. MANN. Mr. Speaker, I agree with the gentleman from Connecticut that we ought to get through, and I object.

Mr. RAKER. Mr. Speaker, I want unanimous consent to proceed for about three minutes.

Mr. MANN. I object.

Mr. RAKER. Just a moment, gentlemen.

Mr. MANN. The gentleman will get his bill up later.

Mr. RAKER. No; I do not think there is a chance for it to come up later.

The SPEAKER pro tempore. The regular order is demanded.

Mr. RAKER. Mr. Speaker, this bill passed the House twice last year by unanimous consent.

Mr. MANN. No; I think the gentleman is mistaken. I think I objected to it once.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentlemen will state it.

Mr. MOORE. When a bill is objected to under the rule under which we are now proceeding, the objection does not take it off the calendar?

The SPEAKER pro tempore. No.

Mr. MOORE. It remains on the calendar, for consideration later on?

The SPEAKER pro tempore. That is correct.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may proceed for one minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I want to call the attention of the committee to the fact that this bill was reported in the last Congress, and unanimously passed the House when it came up on the calendar. It went over to the Senate, but did not pass because of the fact that there was not time. In fact, it passed the House twice. It passed the House in a general omnibus bill, and then the Senate struck it out of the bill with half a dozen others. It then came back.

Mr. MANN. Mr. Speaker, if I did not object to this bill last year I fell down, because I had it marked bad.

Mr. RAKER. Mr. Speaker, I guess we might just as well quit to-night on this. I do not think there is a quorum present. There is no use of saying that a bill is bad, when the Members of this House last year passed it twice.

The SPEAKER pro tempore. The time of the gentleman from California has expired. The Clerk will report the next bill.

MOSES M. BANE.

The next business in order on the Private Calendar was the bill (H. R. 7553) for the relief of the estate of Moses M. Bane.

The Clerk read the bill.

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

Mr. MANN. I object.

Mr. RAKER. Mr. Speaker, reserving the right to object—

The SPEAKER pro tempore. The gentleman from Illinois objects, and the Clerk will report the next bill.

ELIZABETH MUHLEMAN.

The next business in order on the Private Calendar was the bill (H. R. 12191) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000, in full compensation for the death of said Samuel A. Muhleman on February 14, 1898, caused by injury received on the 9th day of June, 1893, while employed as a clerk in the Record and Pension Office, War Department, while located in Ford's Theater at the time of its collapse.

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

Mr. RAKER. Mr. Speaker, reserving the right to object, I would like to have the gentleman explain the bill.

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

Mr. RAKER. Yes.

Mr. STAFFORD. Has the gentleman read the report in this case?

Mr. RAKER. Mr. Speaker, like the gentleman, I go over all of these matters.

Mr. STAFFORD. I am certain if he has read the report in this case he will not ask for any further information, because it is a very clear case.

Mr. RAKER. Who has charge of the bill?

Mr. **POU**. Mr. Speaker, I will say that it was reported by the gentleman from Mississippi [Mr. **STEPHENS**].

Mr. **MANN**. Mr. Speaker, I demand the regular order.

The **SPEAKER** pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, lines 4 and 5, strike out the words "and the heirs at law."

The **SPEAKER** pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Elizabeth Muhleman, widow of Samuel A. Muhleman, deceased."

THOMAS B. M'CLINTIC.

The next business on the Private Calendar was the bill (S. 661) for the relief of the widow of Thomas B. McClintic, deceased.

The Clerk read the bill, as follows:

Whereas Thomas B. McClintic, late passed assistant surgeon and a commissioned officer in the United States Public Health and Marine-Hospital Service, contracted the Rocky Mountain spotted fever while performing his duty as assistant surgeon in the special work of investigating the causes of Rocky Mountain spotted fever in the State of Montana, and in which special work he had been exclusively engaged for the best part of two years last past, and in which he was engaged when he contracted the disease of Rocky Mountain spotted fever, of which he died in Georgetown University Hospital in the city of Washington on the 13th day of August, 1912; Therefore

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the widow of Thomas B. McClintic, deceased, the sum of \$5,760, being the amount of salary and allowances for two years.

The **SPEAKER** pro tempore. Is there objection?

Mr. **STAFFORD**. Mr. Speaker, I reserve the right to object.

Mr. **FLOOD** of Virginia. Mr. Speaker, I desire at the proper time to offer two amendments, and I would like to state what they are now. In line 3, on page 2, I desire to move to strike out the figures "\$5,760" and insert "\$2,880," and in line 4, page 2, I desire to strike out "two years" and insert "one year."

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

There was no objection.

Mr. **FLOOD** of Virginia. Mr. Speaker, I offer the amendments to which I have just referred.

The **SPEAKER** pro tempore. The Clerk will report the amendments.

The Clerk read as follows:

Page 2, line 3, strike out "\$5,760" and insert in lieu thereof "\$2,880."

Page 2, line 4, strike out the word "two" and insert the word "one."

The **SPEAKER** pro tempore. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

SAMUEL HENSON.

The next business in order on the Private Calendar was the bill (S. 1171) for the relief of Samuel Henson.

The Clerk read the bill.

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

Mr. **MANN**. Mr. Speaker, I object.

HYACINTHE VILLENEUVE.

The next business in order on the Private Calendar was the bill (H. R. 6260) for the relief of Hyacinthe Villeneuve.

The Clerk read the bill, as follows:

Be it enacted, etc., That upon the filing in the Department of the Interior of a proper reconveyance to the United States, previously recorded in the county wherein the land lies, of the southeast quarter of the northwest quarter of section 15, township 162 north, range 57 west, fifth principal meridian, in the Devils Lake (N. Dak.) land district, accompanied by a duly certified abstract showing title in the United States, free of liens and encumbrances, the party or parties making such reconveyance shall be entitled to select, in lieu of said tract, 40 acres of vacant, surveyed, nonmineral, and unoccupied public lands.

SEC. 2. That upon the acceptance by the Secretary of the Interior of such reconveyance of the land above described, the patent issued therefor to the Santa Fe Pacific Railroad Co. shall be canceled and the homestead entry made for said land on December 5, 1908, by Hyacinthe Villeneuve passed to patent.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none, and the Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 1, insert the word "unreserved."

Page 2, line 2, after the word "lands," insert "Provided, That the selection made under such exchange be made within two years after the approval of this act."

The **SPEAKER** pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

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

JOSEPH HODGES.

The next business in order on the Private Calendar was the bill (S. 540) for the relief of Joseph Hodges.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to issue a patent to Joseph Hodges for the following-described lands: The southwest quarter of the northeast quarter and the south half of the northwest quarter of section 20; the south half of the northeast quarter and the southeast quarter of the northwest quarter of section 30; the west half of the southeast quarter and the west half of the northeast quarter of section 15; the southwest quarter of the southeast quarter of section 10, all in township 13 north, range 5 east of Salt Lake meridian, upon the transfer by the said Joseph Hodges to the United States of the northeast quarter of the southeast quarter of section 26; the southwest quarter of the southwest quarter of section 27; the south half of section 16, all in township 14 north, range 4 east of Salt Lake meridian, situate in the Cache National Forest; *Provided*, That upon the reconveyance of the surrendered lands they will become a part of the Cache National Forest.

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

Mr. **STAFFORD**. Mr. Speaker, reserving the right to object, I notice there is no information whatsoever contained in the printed sheet called a report on this case. The House is entirely without any information as to—

Mr. **MANN**. There is a supplemental report.

Mr. **HOWELL**. There is a very full report. This bill simply provides an exchange of land in the national forest for lands outside. It has met the approval of the Department of Agriculture and the Secretary of the Interior.

Mr. **GRAHAM** of Illinois. I will say to the gentleman from Wisconsin that the committee gave it very careful attention, inquired a couple of times of the department in reference to it, and I believe it is entirely meritorious.

Mr. **STAFFORD**. Will the gentleman inform the House as to the practice of this committee in submitting a report consisting of four lines which does not contain any information at all?

Mr. **GRAHAM** of Illinois. Mr. Johnson was assigned to make the report, and I presume he inadvertently made that report and afterwards made a fuller report. He made the report, I presume, in order to get it on the calendar, and then made a fuller report as soon as he had time to do so. The second report is very complete.

Mr. **STAFFORD**. On the statement of the gentleman that this matter has been given full consideration, and having had handed me the complete report known as the supplemental report, I withdraw the objection.

The **SPEAKER** pro tempore. Is there objection? [After a pause.] The Chair hears none.

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

REBECCA C. PEPPER.

The next business in order on the Private Calendar was the bill (S. 2563) for the relief of Rebecca C. Pepper.

The bill was read.

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

Mr. **MANN**. Mr. Speaker, I object.

Mr. **GRAHAM** of Illinois. Will my colleague reserve the right to object?

Mr. **MANN**. Not at this time in the evening.

Mr. **GRAHAM** of Illinois. It is really very meritorious.

Mr. **MANN**. I went over the report, and I do not think so.

Mr. **GRAHAM** of Illinois. I would be glad to state to the gentleman—

Mr. **MANN**. If I had time, I would be glad to hear the gentleman, but not at this time.

The **SPEAKER** pro tempore. Does the gentleman object?

Mr. **MANN**. I object.

GEORGE W. CARY.

The next business in order on the Private Calendar was the bill (H. R. 1517) for the relief of George W. Cary.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to investigate the status of section 14, township 38 north, range 8 east, Mount Diablo meridian, within the State of California, to determine whether said lands were settled upon by George W. Cary prior to the issuance of an allotment to Annie Roseberry, Indian; and if the said

Secretary of the Interior does so determine that the said lands were settled upon, he is hereby authorized and empowered to cancel the trust patent issued to the said Annie Roseberry and to award said Annie Roseberry another allotment equally satisfactory upon any vacant public lands he may determine, and to allow George W. Cary the right to make a homestead entry upon said lands upon which he has settled within three months of the date of the passage of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 4, after the word "of," insert the words "the southeast quarter of southwest quarter and west half of southeast quarter section 11, and the northwest quarter of northeast quarter of."

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

The Clerk read as follows:

Page 2, line 3, strike out the words "equally satisfactory" and insert "not exceeding 160 acres."

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

The Clerk read as follows:

Page 2, line 7, after the word "passage," insert the words "and approval."

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

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

JAMES HARVEY DENNIS.

The next business in order on the Private Calendar was the bill (H. R. 11040) to carry out the findings of the Court of Claims in the case of James Harvey Dennis.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to L. Helen Dennis, administratrix of the estate of James Harvey Dennis, deceased, the sum of \$26,538, in accordance with the findings of the Court of Claims reported in Senate Document No. 619, Sixty-second Congress, second session, said sum to be accepted and receipted for in full of said claim against the Government. *Provided*, That the said L. Helen Dennis shall file in the Treasury Department a certificate showing her appointment as administratrix of said estate and a certified copy of her bond, which bond must be at least equal in amount to the sum hereby appropriated: *And provided further*, That if said L. Helen Dennis be dead or no longer holding said office, payment shall be made to her successor upon his or her complying with the same requirements as herein provided with respect to the said L. Helen Dennis, administratrix.

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

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask one question of the gentleman from Kentucky, who introduced the bill and in the last Congress reported the bill, whether the committee had before it the findings of the Court of Claims made, I think, in 1890, or some time along there? I have been trying to get hold of those findings for a long time and never have been able to get them; and while they are referred to in the report, in a way, I would like to know whether the committee had those findings?

Mr. CANTRILL. We quote from the findings of the Court of Claims.

Mr. MANN. Oh, no; I beg the gentleman's pardon. There is a statement here as to what the Court of Claims found.

Mr. CANTRILL. As to what the Court of Claims found; yes.

Mr. MANN. And a letter from one of the judges of the Court of Claims, written 12 or 15 years after the Court of Claims had made its report, as to what it had found, and apparently there were some very long and complicated findings.

Mr. CANTRILL. I will state to the gentleman from Illinois, if he will permit me, from my own personal knowledge, I know that Maj. Dennis lost on this contract over \$200,000.

Mr. MANN. That does not interest me at all, even if he lost \$2,000,000. We do not want to pay him anything that we do not owe him.

Mr. CANTRILL. The Court of Claims, in going through all the claims, reported this one of \$6,500. The claim has been favorably reported by the Senate six different times and it has passed the Senate six different times. It has eight favorable reports of the House of Representatives behind it, and it has passed the House twice. At the last session of Congress it passed the House and passed the Senate, but in separate bills. There have been fourteen favorable reports by Congress on this bill.

Mr. MANN. I know that; but that does not count for anything at all. I am not disposed to object to the consideration of the claim, although it seems remarkable and strange that this committee could have never presented to either body of Congress the facts on which the claims were founded—the finding of the Court of Claims. I do not know whether the committee ever had them. If so, nobody has ever put it in any of the reports.

Mr. CANTRILL. But the judge of the court and the clerk of the court reported the finding of the Court of Claims—

Mr. MANN. The opinion of the judge that was written some 14 years after he had made a finding, as to what his finding was, is not worth the snap of your finger.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

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

ELLIS P. GARTON, ADMINISTRATOR.

The next business in order on the Private Calendar was the bill (H. R. 9092) for the relief of Ellis P. Garton, administrator of the estate of H. B. Garton, deceased.

The bill was read in full.

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

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the Clerk will report the next bill.

REFUND OF DUTIES ON WILD-CELERY SEED.

The next business in order on the Private Calendar was the bill (H. R. 1781) providing for the refund of certain duties incorrectly collected on wild-celery seed.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William A. Avis, of New York, N. Y., the sum of \$434.30, being the amount incorrectly collected on 4,343 pounds of wild-celery seed imported at the port of New York on November 3, 1909, entry No. 273,740.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The question is on the engrossment and third reading of the bill.

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

QUITCLAIM TO LAND, HAMPDEN COUNTY, MASS.

The next business in order on the Private Calendar was the bill (H. R. 3334) authorizing the quitclaiming of the interest of the United States in certain land situated in Hampden County, Mass.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed, by quitclaim deed for and on behalf of the United States, to convey to John D. McKnight and William H. McKnight, or their heirs and assigns forever, all right, title, and interest it may have in and to all of that plat or parcel of ground described as containing 40 rods of land together with a right of way "situated in Springfield in Hatch's pasture, so called, near Garden Brook," Hampden County, Mass., and acquired by the United States through the deed of Solomon Hatch, dated September 14, 1825, recorded September 15, 1825, in book 75, at page 186 of the records of Hampden County.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The question is on the engrossment and third reading of the bill.

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

L. V. THOMAS.

The next business in order on the Private Calendar was the bill (H. R. 10172) for the relief of L. V. Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to L. V. Thomas the sum of \$2,000, out of any money not otherwise appropriated, for personal injuries received while working on the Panama Canal in the employ of the Panama Canal Commission as a carpenter.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 5, strike out "\$2,000" and insert "\$1,680."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

JAMES STANTON.

The next business in order on the Private Calendar was the bill (H. R. 3428) for the relief of James Stanton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to James Stanton, of Leaven-

worth, Kans., out of any money in the Treasury not otherwise appropriated, the sum of \$1,912.40, the same being for extra work performed by said James Stanton on a contract with the War Department, dated June 8, 1908, for grading, paving, curbing, and rock hauling on Grant Avenue, Fort Leavenworth, Kans.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 10, after the word "Kansas," insert the following: "Provided, That no part of the said sum shall be paid to the said James Stanton unless he has carried out a certain agreement, under a contract dated August 27, 1907, namely, that he would keep the said road in satisfactory condition for a period of five years from the completion of the work under the last-named contract and that, in case of his refusal or failure to fulfill said agreement, any amounts which may have been expended by the United States for keeping this road in a satisfactory condition during the five-year period shall be deducted from the said sum of \$1,912.40, and shall be available to reimburse the War Department for such necessary expenditures as same are made: And provided further, That the Government does not relinquish any of the rights secured to it under the guaranty bond of the said James Stanton, in the Massachusetts Bonding & Insurance Co., dated January 4, 1910, should the said sum of \$1,912.40 prove insufficient for defraying the cost of the work necessary to place and keep the road in such satisfactory condition during the said five-year period."

Mr. MANN. Mr. Speaker, the spelling of the word "five" in line 18 should be corrected by the Clerk.

The SPEAKER pro tempore. Is that part of the amendment?

Mr. MANN. That is in the amendment.

The SPEAKER pro tempore. By unanimous consent the correction will be made. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The Clerk will report the next bill.

ORMOND M. LISSAK.

The next business in order on the Private Calendar was the bill (H. R. 1133) for the relief of Lieut. Col. Ormond M. Lissak. The bill was read.

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

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects. The Clerk will report the next bill.

RELIEF OF CERTAIN FIRE INSURANCE COMPANIES.

The next business in order on the Private Calendar was the bill (H. R. 4480) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900.

The bill was read.

Mr. MANN. Let that bill go over.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects. The Clerk will report the next bill.

HENRY LA ROQUE.

The next business in order on the Private Calendar was the bill (H. R. 14229) for the relief of Henry La Roque.

The Clerk read the bill, as follows:

Be it enacted, etc., That Henry La Roque, an Indian of the White Earth Indian Reservation in the State of Minnesota, be, and he is hereby, permitted to appeal within 90 days after the passage of this act from the decree entered in the United States Circuit Court of Appeals for the Eighth Circuit on the 8th day of July, 1912, in a suit wherein the United States is the appellant and Henry La Roque the appellee to the Supreme Court of the United States, giving such notice or notices and taking such proceedings as are required by law and practice in such cases to effect such appeal. To enable such appeal to be taken and perfected the time therefor and for all notices and proceedings provided in the law or practice to be given or taken is hereby extended until the expiration of the period of 90 days from and after the passage of this act.

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

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The Clerk will report the next bill.

JAMES EASSON.

The next business in order on the Private Calendar was the bill (H. R. 900) for the relief of James Easson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to James Easson, of Racine, Racine County, Wis., the sum of \$300, being the sum unlawfully collected from him by the board of enrollment, namely, \$300, to furnish a substitute when drafted for service in the Army, he not being a citizen of the United States at the time.

With a committee amendment.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, line 5, after the word "Wisconsin," insert the words "out of any money in the Treasury not otherwise appropriated."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The Clerk will report the next bill.

RELIEF OF LEGAL REPRESENTATIVE OF GEORGE E. PAYNE, DECEASED.

The next business in order on the Private Calendar was the bill (H. R. 9851) for the relief of the legal representative of George E. Payne, deceased.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claim of the legal representative of George E. Payne, deceased, of New Orleans, La., for personal property taken by United States officers, and for the crop of sugar sold by the sequestration commissioners, and the net proceeds transferred by them to the Quartermaster's Department, and used for the public good and for the use and occupancy of the plantation of said deceased, taken by United States Army officers, and turned over to the United States Treasury agent, and by said agent leased to William Spear for the year 1864, and for the use and occupancy of the Freedman's Bureau for the year 1865, be, and the same is hereby, referred to the Court of Claims of the United States for adjudication, at the fair and reasonable rental and the value of the property taken and used as aforesaid, on the evidence heretofore presented and such other evidence as may be adduced, any statute of limitation to the contrary notwithstanding: *Provided, however,* That it be shown to the satisfaction of the court that said George E. Payne did not give any aid or comfort to the late Civil War, but was throughout the war loyal to the Government of the United States.

With a committee amendment.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 2, line 1, strike out the word "of" and insert the word "by."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The Clerk will report the next bill.

DAVID C. M'GEE.

The next business in order on the Private Calendar was the bill (H. R. 2705) for the relief of David C. McGee.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to David C. McGee, late of Company I, Fiftieth Regiment Illinois Volunteer Infantry, out of any money in the Treasury not otherwise appropriated, the sum of \$165, in full of his claim for balance due him as bounty by reason of enlistment in the United States Army during the War of the Rebellion.

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

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MRS. H. G. LAMAR.

The next business in order on the Private Calendar was the bill (H. R. 14197) for the relief of the legal representatives of Mrs. H. G. Lamar.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed and required to pay, out of any moneys in the Treasury of the United States not otherwise appropriated, to the legal

representatives of Mrs. H. G. Lamar, late of Macon, Ga., now deceased, the sum of \$226.66, the same being for the rent of one building from October 27, 1865, to November 30, 1865, located in Macon, Ga., and occupied as quarters for the commanding officer and staff of the United States Army of the district of Columbus, Department of Georgia, under a contract of lease made with said Mrs. H. G. Lamar by Capt. W. A. Rankin, assistant quartermaster, and dated October 27, 1865.

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

Mr. MANN. Reserving the right to object, I should like to ask the gentleman from Nebraska [Mr. LOBECK], who made the report, whether it is the policy of that committee to get any report from the War Department on these bills?

Mr. BARTLETT. I can state to the gentleman—

Mr. MANN. No; I should like to hear from a gentleman on the committee whether it is the policy of the committee to refer these bills to the War Department?

Mr. LOBECK. We did not refer this bill, and I understand it is not the policy of the committee to do so.

Mr. MANN. Where a claim is made against the War Department for use and occupancy, is it the policy of the committee to ask any questions of the War Department?

Mr. LOBECK. I will refer that question to the chairman of the committee.

Mr. GREGG. It has not been the policy of the committee to refer them unless there was some complicated state of facts.

Mr. MANN. I am not speaking of this particular case, although I think it ought to have been referred.

Mr. GREGG. It is not the policy of the committee to refer them unless a case involves a complicated state of facts.

Mr. MANN. I suppose the committee assumes that all that the claimants say is true, and that it is not necessary to ask the War Department anything about it.

Mr. GREGG. We do not assume that, where the facts are complicated and the War Department has the facts.

Mr. MANN. You never know whether the War Department has the facts or not unless you ask them. You do not know what the records of the War Department will disclose.

Mr. BARTLETT. This was never presented through the War Department.

Mr. GREGG. We had the original papers in this case.

Mr. MANN. That does not affect the question. You do not know what records the War Department may have.

Mr. BARTLETT. I will state to the gentleman that these claims were never presented to the War Department. This old lady took them and put them in a trunk, and they were not found until a long time afterwards.

Mr. MANN. But the War Department ought to have a record of having given the papers. Does not the gentleman admit that?

Mr. BARTLETT. I think so. I think it would be well for the committee to ask for the information which the department has in these cases.

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

There was no objection.

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

SAMUEL M. FITCH.

The next business in order on the Private Calendar was the bill (H. R. 10122) to credit Samuel M. Fitch, collector of internal revenue, first district of Illinois, on the books of the Treasury Department with the sum of \$1,500 for cigar stamps lost or stolen in transit.

The Clerk read the title of the bill.

Mr. COPLEY. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. STAFFORD. Is not this a bill introduced by the gentleman from Illinois [Mr. MANN]?

Mr. COPLEY. I think so; yes.

Mr. STAFFORD. Does not the gentleman know that that is so?

Mr. COPLEY. I know that that is so; yes.

Mr. RAKER. I hope the gentleman will withdraw the point of order and let us pass that bill.

Mr. MANN. Was it my friend from Aurora who objected?

Mr. COPLEY. I did not object to anything. I made the point that there is no quorum present. That is not an objection.

Mr. RAKER. I hope the gentleman will do as I did. I looked around and found that there was a quorum present, and then did not want to make the point.

Mr. FOSTER. Let us be generous.

Mr. COPLEY. Mr. Speaker, yielding to the solicitation of men who have suffered to-night, I withdraw the point of no quorum.

The SPEAKER pro tempore. The point is withdrawn. The Clerk will report the bill.

The bill was read.

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

Mr. FOWLER. Mr. Speaker, I object.

LILLIAN J. HARTLEY—LEAVE TO WITHDRAW PAPERS.

By unanimous consent, at the request of Mr. HART, leave was granted to withdraw from the files, without leaving copies, the papers in the case of H. R. 17803, Sixty-first Congress, second session, granting a pension to Lillian J. Hartley, there being no adverse report thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. STEPHENS of Mississippi, for 10 days, on account of sickness of his mother.

To Mr. SHERLEY, indefinitely, on account of sickness.

ADJOURNMENT.

Mr. POU. Mr. Speaker, the hour of 11 o'clock has arrived, and I therefore move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock p. m.) the House adjourned until Wednesday, May 6, 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 the Treasury, transmitting copy of a communication from the Secretary of War submitting an estimate authorizing and directing the accounting officers of the Treasury to credit the sum of \$862.50 in the accounts of First Lieut. A. Moreno, special disbursing officer, United States Army (H. Doc. No. 961); to the Committee on Claims and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting an additional estimate of appropriation for repairs to revenue cutters for the fiscal year ending June 30, 1914, in the sum of \$6,444.50 (H. Doc. No. 962); 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. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the bill (H. R. 11179) authorizing the Secretary of State to extend invitation to foreign countries to send delegates to the Fourth International Congress on Home Education, reported the same without amendment, accompanied by a report (No. 620), which said bill and report were referred to the House Calendar.

Mr. J. M. C. SMITH, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 7298) to increase the limit of cost of the public building at Smyrna, Del., reported the same with amendment, accompanied by a report (No. 622), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Utah, from the Committee on the Public Lands, to which was referred the bill (S. 1087) authorizing the exchange of certain lands within the Fishlake National Forest, Utah, reported the same without amendment, accompanied by a report (No. 623), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 4168) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 616), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 4352) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported

the same with amendment, accompanied by a report (No. 617), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 4552) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 618), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 16294) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 619), 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. 10719) to remove the charge of desertion from the military record of Joseph P. Leiter, reported the same with amendment, accompanied by a report (No. 621), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. EDWARDS: A bill (H. R. 16295) appropriating \$1,000,000 for the use of the United States Public Health Service in encouraging rural sanitation, with special reference to the prevention and suppression of malaria and typhoid fever; to the Committee on Appropriations.

By Mr. RAKER: A bill (H. R. 16296) to provide for issuing of patents for public lands claimed under the homestead laws by deserted wives; to the Committee on the Public Lands.

By Mr. SUTHERLAND: A bill (H. R. 16297) providing for the survey of the Monongahela and Cheat Rivers in West Virginia and Pennsylvania, the Tygarts Valley River, the West Fork River, the Little Kanawha River, and the Kanawha River, and their tributaries, in West Virginia; to the Committee on Rivers and Harbors.

By Mr. HEFLIN: A bill (H. R. 16298) to incorporate the Mothers' Day Association; to the Committee on the Judiciary.

By Mr. DOOLITTLE: A bill (H. R. 16299) to amend section 24, chapter 2, of the Judicial Code of the United States; to the Committee on the Judiciary.

By Mr. HINDS: A bill (H. R. 16300) providing for the establishment of a lobster-rearing station at some suitable point on the Atlantic coast; to the Committee on the Merchant Marine and Fisheries.

By Mr. RUCKER: Resolution (H. Res. 503) providing for the consideration of S. 2860; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SHERWOOD: A bill (H. R. 16294) 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; to the Committee of the Whole House.

By Mr. ANTHONY: A bill (H. R. 16301) granting an increase of pension to Jesse J. Spencer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16302) granting a pension to Kate Morgan; to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: A bill (H. R. 16303) granting a pension to William J. Hayes; to the Committee on Pensions.

Also, a bill (H. R. 16304) granting an increase of pension to Cella P. Edmondson; to the Committee on Pensions.

By Mr. BURNETT: A bill (H. R. 16305) to reimburse Henry Weaver, postmaster at Delmar, Ala., for money and stamps stolen from said post office at Delmar and repaid by him to the Post Office Department; to the Committee on Claims.

By Mr. COX: A bill (H. R. 16306) granting a pension to Sarah A. Hammond; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 16307) granting an increase of pension to Thomas J. Crosby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16308) for the relief of George W. Colbert; to the Committee on Military Affairs.

By Mr. HENSLEY: A bill (H. R. 16309) granting an increase of pension to Jacob M. Lincoln; to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 16310) granting an increase of pension to Nelson Ransier; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 16311) granting an increase of pension to Jennie E. Nelson; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 16312) granting an increase of pension to V. B. Littleton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16313) granting an increase of pension to David R. Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16314) granting an increase of pension to Junius F. Whiting; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 16315) granting an increase of pension to Michael F. Conway; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 16316) granting a pension to Eliza J. Glover; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 16317) granting an increase of pension to Hannah Johnson; to the Committee on Invalid Pensions.

By Mr. SELDOMRIDGE: A bill (H. R. 16318) granting a pension to Helen E. Kilburn; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 16319) granting a pension to Clara Murray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16320) for the relief of Samuel Reigle; to the Committee on War Claims.

By Mr. BYRNS of Tennessee: A bill (H. R. 16321) granting an increase of pension to Margaret A. Bennett; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of George H. Harris, of Sybertville, Pa., providing for the pension of the relatives of the soldiers and sailors killed at Vera Cruz, Mexico; to the Committee on Pensions.

Also (by request), memorial of sundry citizens of Hoboken, N. J., protesting against the war between the United States and Mexico; to the Committee on Foreign Affairs.

By Mr. ANTHONY: Petition of M. T. Williams and other citizens of Valley Falls, Kans., favoring rural credits legislation; to the Committee on Banking and Currency.

Also, petition of H. Truefitt and other citizens of Centralia, Kans., favoring certain pending pension legislation; to the Committee on Invalid Pensions.

Also, petition of 231 citizens of McLouth, Kans., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of J. D. Roberts, J. L. Evans, T. D. Williams, David Jones, John O. Jones, Rees John, C. G. Williams, Emanuel Jones, N. Griffiths, E. L. Roberts, John E. Reese, A. C. Roberts, C. C. Harris, Gethue Davies, Berry Thomas, C. D. Evans, Philip Evans, Simon Johnson, John Thomas, Thomas Casker, William Davies, William H. Thomas, G. H. Price, D. H. Abrams, H. R. Harris, D. T. Davies, Bert Gibbons, John Andrews, Griffith Powell, R. T. Ellis, Samuel Steele, W. S. Williams, Joseph Thomas, D. E. Webber, T. J. Edwards, Thomas Edwards, John A. Thomas, William O. West, Joe Edwards, Henry Will, Thomas Edwards, Norman Price, George Thomas, John P. Jones, William Ramstedt, F. B. Ferner, George Legg, and W. H. Jones, all of Johnstown, Pa., for passage of House joint resolution 168, relative to national prohibition; to the Committee on the Judiciary.

By Mr. BROWNING: Petitions of 2,500 citizens of Camden, Gloucester, and Salem Counties, and 56 citizens of Essex, Hudson, Bergen, Cumberland, and Union Counties, all in the State of New Jersey, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 81 citizens of Gloucester and Salem Counties, N. J., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BUTLER: Petitions of 96 citizens of West Chester; the Haddington Woman's Christian Temperance Union, of Philadelphia; 2,795 citizens of Spring City; 267 citizens of Wayne; 350 citizens of Chester; 929 citizens of Darby; 523 citizens of Lansdowne; 200 citizens of Lincoln University; 675 citizens of

Oxford; 280 citizens of Eddystone; 83 citizens of Broomall; 21 citizens of Toughkenamon; 32 citizens of Garrettsford; 215 citizens of Moores; and sundry citizens of Chester, Rutledge, and Morton, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. CANTOR: Petition of various voters of the twentieth congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. CARR: Petition of 45 citizens of Mount Morris, Pa., favoring national prohibition amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CONNELLY of Kansas: Petitions of 85 citizens of Lucas, 120 citizens of Hill City, 16 citizens of Wakeeny, 90 citizens of Lucas, 15 citizens of Wakeeny, 135 citizens of Phillipsburg, 14 citizens of Wakeeny, and 25 citizens of Athol, all in the State of Kansas, favoring nation-wide prohibition; to the Committee on the Judiciary.

By Mr. COX: Petition of sundry citizens of Jeffersonville, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DALE: Petition of sundry voters of the fourth congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DERSHEM: Petition of 41 citizens of Mount Union, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DICKINSON: Petition of 53 citizens of Clinton, Mo., favoring the passage of a bill to amend the postal and civil-service laws (H. R. 12928); to the Committee on the Post Office and Post Roads.

Also, petition of 66 citizens of Clinton, Mo., against the passage of the Sunday-observance bill (H. R. 7826) entitled "A bill to provide for the closing of barber shops in the District of Columbia on Sunday," etc.; to the Committee on the District of Columbia.

By Mr. DILLON: Memorial of Phil Kearney Post, No. 7, Grand Army of the Republic, Department of South Dakota, protesting against any change in the American flag; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of sundry citizens of the State of Kansas, favoring establishment of bureau of farm loans; to the Committee on Banking and Currency.

By Mr. DRUKKER: Petition of various voters of the seventh congressional district of the State of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. EAGAN: Petition of sundry citizens of the eleventh congressional district of New Jersey, against national prohibition; to the Committee on the Judiciary.

By Mr. ESCH: Petition of sundry citizens of Milwaukee County, Wis., favoring woman's suffrage amendment to the Constitution; to the Committee on the Judiciary.

By Mr. FLOOD of Virginia: Petition of sundry citizens of Guinea Mills, Va., against Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Guinea Mills, Va., favoring House bill 12928, to amend postal laws; to the Committee on the Post Office and Post Roads.

By Mr. GERRY: Petitions of 11 residents of Providence; 37 residents of South Kingston; 26 residents of Providence; 33 residents of Warwick; 10 residents of Warwick; 21 residents of Scituate; 18 residents of River Point; 32 residents of Providence; the First Congregational Church of River Point, 300 members; the Coventry Women's Club, Anthony, 115 members; Greenville Grange, No. 37, Patrons of Husbandry, 53 members; a Double Gold Medal Contest, 200 members, of East Greenwich; and a Double Gold Medal Contest, 300 members, of Providence, all in the State of Rhode Island, urging the passage of legislation providing for national prohibition; to the Committee on the Judiciary.

Also, petition of 30 residents of Arctic, R. I., protesting against the passage of legislation providing for national prohibition; to the Committee on the Judiciary.

Also, petitions of the Oak Lawn Baptist Church, of Oak Lawn; the Citizens' No-License Committee of Westerly; the Woman's Christian Temperance Union of Woodville; Hon. C. D. Sharp, of Providence; Joseph A. Latham and Walter E. French, of Providence; George W. Amison, of Providence; and Herbert M. Clarke, of Arctic, all in the State of Rhode Island, urging the passage of legislation providing for national prohibition; to the Committee on the Judiciary.

By Mr. GOEKE: Petition of various voters of Shelby County, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of various voters of the second congressional district of Pennsylvania, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 2,803 citizens of Philadelphia, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Chamber of Commerce of the United States, favoring enactment of law establishing a court of patent appeals; to the Committee on Patents.

Also, petition of the Erie (Pa.) Foundrymen's Association, relative to antitrust legislation; to the Committee on the Judiciary.

By Mr. GRIEST: Petitions of Rev. J. E. Keene, of Lititz; sundry citizens of Lancaster; Rev. J. M. Rinker, of Millersville; J. A. Snyder and O. H. Wenger, of Strasburg; the Methodist Episcopal Church and the Woman's Christian Temperance Union, of Lancaster, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GUERNSEY: Petition of sundry citizens of Bangor, Me., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HINEBAUGH: Petition of sundry citizens of the twelfth congressional district of Illinois, against national prohibition; to the Committee on the Judiciary.

By Mr. HOWELL: Petitions of Salt Lake Lodge, No. 83, Railway Carmen of America; the bartenders' union; and Fred Roundy, president, and Joseph Ward, secretary, for the Salt Lake Union, all of Salt Lake City, Utah, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of B. F. Doran, Charles McClure, Sam Piccols, M. L. Lewison, Frank Wilson, Edward Allen, Fred M. Schultz, Alfred E. Noble, George Klenke, Christina A. Schultze, and others, all of Salt Lake City, Utah, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, relative to national prohibition; to the Committee on the Judiciary.

By Mr. HULINGS: Petition of 49 citizens of Mercer, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KAHN: Petition of the Chamber of Commerce of San Francisco, Cal., favoring appropriation for erection of new buildings for the United States Marine Hospital at San Francisco, Cal.; to the Committee on Naval Affairs.

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

Also, petition of the San Diego County (Cal.) Federated Trades and Labor Council, relative to strike conditions in Colorado; to the Committee on the Judiciary.

By Mr. KONOP: Petition of the Wisconsin Woman Suffrage Association, favoring woman's suffrage amendment to Constitution; to the Committee on the Judiciary.

Also, petition of the Epworth League of Antigo, Wis., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Harmony Grange No. 563, favoring Bathrick farm-credit bill; to the Committee on Banking and Currency.

By Mr. LOFT: Petition of 68 citizens of the thirteenth congressional district of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of citizens of Boston, Mass., favoring mediation in the Mexican situation; to the Committee on Foreign Affairs.

By Mr. McCLELLAN: Petitions of sundry citizens of Cobleskill, Lidlithgo, the Friends and Reformers of Tillson, the American Mechanics of Rifton, 55 citizens of Plattekill, and the Ministers' Club of Hudson, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 30 citizens of Kingston, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MAGUIRE of Nebraska: Petition of 377 citizens of Lincoln, Nebr., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MERRITT: Petitions of various voters of Norfolk and Moira, and the Woman's Christian Temperance Unions of Lawrence and Massena, and various voters of Malone, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petition of sundry citizens of Warren, R. I., favoring women's suffrage; to the Committee on the Judiciary.

Also, petition of the League of Improvement Societies in Rhode Island, relative to McLean law for protection of migratory birds; to the Committee on Agriculture.

Also, petition of Harry Cutler, Providence, R. I., favoring House bill 15733, to celebrate half century of negro emancipation; to the Committee on Industrial Arts and Expositions.

Also, petition of sundry citizens of Iverton, Providence, Newport, R. I., and J. M. Brownell and George R. Hicks, of Portsmouth, R. I., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of A. J. Magoon & Son, of Providence, R. I., relative to House bill 11321, regarding patents for designs; to the Committee on Patents.

By Mr. PAIGE of Massachusetts: Petition of 200 voters of the thirty-sixth congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. PATTEN of New York: Petition of 132 voters of the eighteenth congressional district of New York, against passage of Hobson-Sheppard-Works resolutions, relative to national prohibition; to the Committee on the Judiciary.

By Mr. PLUMLEY: Petitions of the Methodist Episcopal Church of Barnard and the Woman's Christian Temperance Union of Plainfield, Vt., favoring national prohibition; to the Committee on the Judiciary.

By Mr. REILLY of Connecticut: Petitions of sundry citizens of New Haven, Conn., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of William E. Weathers and Herbert Benvil, favoring "One hundre years of peace celebration"; to the Committee on Foreign Affairs.

Also, petition of New Canaan Equal Franchise League, favoring passage of the Bristow-Mondell resolution enfranchising women; to the Committee on the Judiciary.

Also, petition of the National Shoe Wholesalers Association, protesting against extension of Parcel Post Service; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Massachusetts, approving stand taken by the President in Mexican trouble; to the Committee on Foreign Affairs.

By Mr. SCULLY: Petition of various business men of Metuchen and Woodbridge, N. J., favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. J. M. C. SMITH: Resolution adopted by the National Association of Vicksburg Veterans, petitioning Congress to commemorate the semicentennial of the ending of the Civil War; to the Committee on Military Affairs.

Also, resolution adopted at a mass meeting in Faneuil Hall, Boston, urging action by Congress to disclaim annexation of any Mexican territory; to the Committee on Foreign Affairs.

By Mr. TAVENNER: Petition of R. W. Kinnett, of Roseville, Ill., favoring passage of the Stevens bill, relative to price maintenance; to the Committee on Interstate and Foreign Commerce.

By Mr. TOWNSEND: Petition of 6,369 voters of the tenth New Jersey congressional district, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. TUTTLE: Petitions of sundry citizens of Chatham, Pine Rock, and Dover; 576 citizens and 40 members of the Young Men's Christian Association, of Successunna; 300 citizens of Plainfield; the Baptist Church and 62 citizens of Summit; and 345 citizens of Cranford, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Elizabeth (N. J.) Board of Trade, protesting against extension of parcel-post service; to the Committee on the Post Office and Post Roads.

Also, petition of the National Wholesale Lumber Dealers' Association, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, memorial of the United Irish-American Societies of the State of New Jersey, protesting against the repeal of the canal tolls exemption; to the Committee on Interstate and Foreign Commerce.

Also, petition of 2,905 citizens of the fifth congressional district of New Jersey, against national prohibition; to the Committee on the Judiciary.

By Mr. WALLIN: Petition of 814 voters of the thirtieth New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. WILSON of New York: Petitions of sundry voters of the third congressional district of New York and the Brooklyn Quartette Club, of Brooklyn, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petitions of the Stacey Fruit Co. and others, of Bismarck, N. Dak., protesting against changing of standard size of cranberry barrels; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, May 6, 1914.

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

Almighty God, we come to Thee day by day because whatever of merit there is in us must come from Thee. Our very conscious life, with its feeling of dependence, rests upon our sense of the absolute and the infinite. Thou art and Thou art a rewarder of them that diligently seek Thee. We pray that Thou wilt enable us to do Thy will, that we may know the doctrine that it is of God, and that our lives may be brought even at this moment into a more blessed accord with Thy will. 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 House had passed the bill (S. 661) for the relief of the widow of Thomas B. McClintic, deceased, with amendments in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills:

S. 540. An act for the relief of Joseph Hodges;
S. 1808. An act for the relief of Joseph L. Donovan;
S. 1922. An act for the relief of Margaret McQuade; and
S. 3997. An act to waive for one year the age limit for the appointment as assistant paymaster in the United States Navy in the case of Landsman for Electrician Richard C. Reed, United States Navy.

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

H. R. 851. An act for the relief of the legal representatives of Napoleon B. Giddings;
H. R. 900. An act for the relief of James Easson;
H. R. 932. An act for the relief of John W. Canary;
H. R. 1517. An act for the relief of George W. Cary;
H. R. 1781. An act providing for the refund of certain duties incorrectly collected on wild-celery seed;
H. R. 2705. An act for the relief of David C. McGee;
H. R. 2728. An act for the relief of George P. Heard;
H. R. 3041. An act to carry into effect findings of the Court of Claims in the cases of Charles A. Davidson and Charles M. Campbell;
H. R. 3334. An act authorizing the quitclaiming of the interest of the United States in certain land situated in Hampden County, Mass.;
H. R. 3428. An act for the relief of James Stanton;
H. R. 3432. An act to reinstate Frank Ellsworth McCorkle as a cadet at United States Military Academy;
H. R. 4318. An act to authorize the Secretary of the Interior to cause patent to issue to Erik J. Aanrud upon his homestead entry for the southeast quarter of the northeast quarter of section 15, township 159 north, range 73 west, in the Devils Lake land district, N. Dak.;
H. R. 4744. An act to authorize the appointment of John W. Hyatt to the grade of second lieutenant in the Army;
H. R. 6052. An act for the relief of William P. Havenor;
H. R. 6260. An act for the relief of Hyacinthe Villeneuve;
H. R. 7633. An act for the relief of the personal representative of Charles W. Hammond, deceased;
H. R. 8808. An act for the relief of Baley W. Hamilton;
H. R. 8811. An act to execute the findings of the Court of Claims in the case of Sarah B. Hatch, widow of Davis W. Hatch;
H. R. 9147. An act to restore First Lieut. James P. Barney, retired, to the active list of the Army;
H. R. 9851. An act for the relief of legal representative of George E. Payne, deceased;
H. R. 10172. An act for the relief of L. V. Thomas;
H. R. 10201. An act for the relief of the heirs of Theodore Dehon;
H. R. 11040. An act to carry out the findings of the Court of Claims in the case of James Harvey Dennis;
H. R. 11381. An act for the relief of the estate of T. J. Semmes, deceased;
H. R. 12191. An act for the relief of Elizabeth Muhleman, widow of Samuel A. Muhleman, deceased;
H. R. 13240. An act for the relief of the legal representatives of James S. Clark, deceased;
H. R. 14197. An act for the relief of the legal representatives of Mrs. H. G. Lamar; and
H. R. 14229. An act for the relief of Henry La Roque.