

By Mr. GALLIVAN: Petitions of Charlestown Nest of Owls, No. 14691; Warren Association of Charlestown; and Knights and Ladies of St. Brendan, Boston, Mass., favoring the passage of the Hamill bill—House bill 5139; to the Committee on Reform in the Civil Service.

By Mr. GILMORE: Petition of water commissioners of Braintree, Mass., against discontinuance by United States Government of printing of envelopes with return address; to the Committee on the Post Office and Post Roads.

Also, petition of C. A. Bohlin and C. D. Fyhr, of Brockton, Mass., favoring embargo on wheat; to the Committee on Foreign Affairs.

By Mr. GOEKE: Petitions of Herman Bruhl and others, Sam Ambrose and others, Gottlob Wardner and others, F. J. Frey and others, all citizens of Columbus, Ohio, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Pennsylvania: Petition of German Roman Catholic State Federation of Pennsylvania, relative to publication called the Menace being suppressed; to the Committee on the Post Office and Post Roads.

Also, petition of German Roman Catholic Central Vereins in the State of Pennsylvania, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, memorial of Philadelphia County Federation of Protestant Patriotic Fraternities and Protestant Church Organizations, protesting against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. GRIFFIN: Petition of sundry citizens of Brooklyn, N. Y., favoring world federation of all nations; to the Committee on Foreign Affairs.

Also, petition of C. F. Hetzel, of Brooklyn, N. Y., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of New York associated dailies, protesting against increase in postage on newspapers; to the Committee on the Post Office and Post Roads.

Also, petition of associated physicians of Long Island, favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. HELGESEN: Petitions of citizens of Linton, Lidgerwood, Leonard, Neche, Niagara, Alice, Amenias, Anamoose, Barney, Bismarck, Bisbee, Braddock, Calio, Casselton, Cathay, Cogswell, Crocus, Davenport, Devils Lake, Egeland, Elgin, Enderlin, Lincoln Valley, Fargo, Forbes Gardens, Grand Forks, Hensel, and Hillsboro, all of North Dakota, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Connecticut: Petition of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

By Mr. KETTNER: Petitions of residents of Anaheim, Fullerton, Orange, San Bernardino, Redlands, Murrieta, Los Angeles, Elsinore, Banning, Beaumont, Whittier, Santa Ana, and Del Mar, Cal., indorsing House joint resolution 377, placing embargo on export of arms; to the Committee on Foreign Affairs.

By Mr. LEWIS of Maryland: Petition of sundry citizens of Crellin, Garrett County, Md., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Communication of August Michaelis, of New Britain, Conn., in re House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Cohasset, Mass., favoring Owen-Palmer child-labor bill; to the Committee on Labor.

By Mr. MAHAN: Petition of Hermann Lodge, No. 13, O. D. H. S., of Middletown, Conn., favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

By Mr. MOORE: Petitions of Joseph Schwaab, Harry Schmelle, and sundry other citizens of Philadelphia, Pa., urging passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MURRAY: Petition of Tulsa (Okla.) Commercial Club, favoring passage of House bill 20417; to the Committee on Appropriations.

By Mr. REILLY of Connecticut: Petitions of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

Also, petition of St. Francis Holy Name Society, of New Haven, Conn., favoring exclusion of the Menace from the mails; to the Committee on the Post Office and Post Roads.

Also, petition of citizens and societies of Connecticut, favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of citizens of Meriden, Conn., favoring establishment of free employment agencies; to the Committee on Labor.

By Mr. STEENERSON: Petition of 21 citizens of Dent, Minn., favoring House joint resolution 377 placing embargo on arms; to the Committee on Foreign Affairs.

Also, memorial of Minnesota State Dairyman's Convention, at Owatonna, Minn., urging legislation to prevent deception in the manufacturing and sale of oleomargarine; to the Committee on Agriculture.

By Mr. STEPHENS of California: Petitions from A. H. Naftzger, George E. Bittenger, H. T. Newell, Lyon Fireproof Storage Co., Kahn Beck Co., Kieselguhr Co. of America, Loeb-Fleishman & Co., Brownstein Louis Co., Albert Cohn, Bent Bros., and Laukota Garriotte Co., all of Los Angeles, Cal.; J. L. Tomlinson, Claremont, Cal.; Santa Monica Water Co., Santa Monica, Cal.; Covina Valley Farmers' Club, Covina, Cal., favoring the printing and issuing by the Government of stamped envelopes; to the Committee on the Post Office and Post Roads.

Also, resolution of the City Council of Alameda, Cal., protesting against change of harbor lines; to the Committee on Rivers and Harbors.

Also, joint resolution of the legislature, State of California, favoring the Keating bill to pension soldiers engaged in the Indian campaigns from 1865 to 1891; to the Committee on Pensions.

By Mr. STEPHENS of Texas: Petition of citizens of Amarillo, Tex., protesting against passage of House bill 20644; to the Committee on the Post Office and Post Roads.

By Mr. TEN EYCK: Resolution from citizens of Altamont, N. Y., in favor of the Vollmer resolution, H. J. Res. 377, signed by Rev. Joel Martin, Rev. A. A. Frederick, Rev. George W. Furbeck, and 19 others; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petitions of 2,656 American citizens, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. WALLIN: Petition of sundry citizens of Amsterdam, N. Y., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, February 11, 1915.

The Senate met at 12 o'clock m.

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

Almighty God, Thou hast made life exceeding precious by giving Thy life to the life of men. We have been called into union with the Divine. We are coworkers together with God not only because we can cooperate with God, but we can be coordinated with Thy life and Thy great purpose. We seek as the supreme end of life to know Thy will, and we ask for the grace that Thou alone canst give to us that we may do Thy will. We have not been put under the thralldom of the order of nature whose eternal note is recurrence; we have been given the power of the spirit which calls us ever onward and upward in the eternal progress of life. May we hold to the divine principle and seek to follow the guidance of the living God. For Christ's sake. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Friday, February 5, 1915.

Mr. REED. Mr. President, I ask that the further reading of the Journal be dispensed with.

Mr. GALLINGER. I object, Mr. President.

Mr. LODGE. I object.

The VICE PRESIDENT. There is objection to dispensing with the further reading of the Journal. The reading will proceed.

The reading of the Journal was resumed and concluded.

Mr. McCUMBER and Mr. SAULSBURY addressed the Chair. The VICE PRESIDENT. The Senator from North Dakota. Mr. SAULSBURY. Mr. President, I ask to be excused from further service on the—

The VICE PRESIDENT. Let us first settle the question on the approval of the Journal.

Mr. McCUMBER. I wish to be heard upon that question.

The VICE PRESIDENT. The Senator from North Dakota.

Mr. McCUMBER. Mr. President, before the Journal is approved, I think there is one matter in it which needs explanation. It needs explanation not only to set the occupant of the chair at the time in a proper light, but also myself. I therefore wish to very concisely state the conditions under which one of the rulings stated in the Journal was made.

I noticed in the press yesterday that it was alleged that, while the Senator from Tennessee [Mr. LEA] was in the chair, I had been taken off my feet in debate. Mr. President, that is not true. I was not taken off my feet in debate. When I yielded to the Senator from Illinois [Mr. SHERMAN], I yielded to him without the reservation that I was yielding only for a question. My yielding was simply in these words:

I yield to the Senator from Illinois.

The Chair had a right to assume, as I did assume, that when the Senator from Illinois was recognized and I had yielded in that manner, I did not intend to proceed; and that is true. I did not intend to proceed any further; I intended that the Senator from Illinois should go on and make his address. As soon as the Senator from Illinois had begun his statement I added:

I yield the floor.

In whatever form that may be found in the RECORD those are the actual facts. So far as I was personally concerned, I had intended to yield the floor at that time, and the Senator from Tennessee, then in the chair, was justified in assuming, so far as I was personally concerned, that I had so intended.

The point of order that I made was, after the Senator from Illinois had been recognized and had spoken half a sentence, that he had the same right to retain his place upon the floor that I had, and that he could not be taken off the floor by the motion of the Senator from North Carolina [Mr. SIMMONS]. If anyone was taken off his feet at all, it was not myself, because I intended to yield at that time. I thought, Mr. President, that this statement ought to be made to clear the record.

Mr. LEA of Tennessee. Mr. President—

The VICE PRESIDENT. The Senator from Tennessee.

Mr. LEA of Tennessee. Mr. President, I was the occupant of the chair at the time the Senator from North Dakota [Mr. McCUMBER] yielded the floor. The Chair did not recognize the Senator from Illinois [Mr. SHERMAN] except, as the Chair at first thought, for a question. When the Chair ascertained that it was the purpose of the Senator from North Dakota, as he has explained, to yield the floor, the Chair then recognized the Senator from North Carolina [Mr. SIMMONS], who rose to a point of order. The point of order was that the Senator from North Dakota could not farm out the floor by yielding it to another Senator for a speech. I believe that that principle is well recognized, and, being in the chair, I sustained the point of order.

The question then was whom the Chair would recognize. As the transcript of the RECORD will show, the Chair did not recognize the Senator from Missouri [Mr. STONE], because the Senator from North Carolina, after making his point of order, stated that he yielded to the Senator from Missouri, but the Chair made the following statement:

The question before the Senate is, first, the proposition of instructions to the committee.

The Senator from Missouri then stated:

Mr. President, has the Senator from North Dakota yielded the floor?

The PRESIDING OFFICER stated further:

If no one is going to proceed—

And was then about to state the question, when the Senator from Missouri said:

If he has—

Referring to the Senator from North Dakota—

I ask for recognition.

The Chair thereupon, instead of putting the pending question, recognized the Senator from Missouri. The Chair had never recognized the Senator from Illinois for the purpose of addressing the Senate other than when he asked the Senator from North Dakota if he yielded to the Senator from Illinois for a question, as the Chair thought, when the Senator from Illinois rose.

On the question of the appeal from the decision of the Chair on the question as to whom the Chair would recognize, the Chair declined to allow an appeal, because it is well recognized, under the rules of the Senate and under Jefferson's Manual, that there can be no appeal from the decision of the Chair as to which Senator is entitled to recognition.

The VICE PRESIDENT. Is there any further objection to the approval of the Journal or any correction proposed?

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. The Senator from Utah.

Mr. SMOOT. Did the Chair recognize me?

The VICE PRESIDENT. For the purpose of correcting the Journal, yes; if not, no.

Mr. SMOOT. That is exactly what I rose for, Mr. President. I should like to have that portion of the Journal read which refers to the notice given by the Senator from Mississippi [Mr. WILLIAMS] of an amendment proposing a change of the rules.

The VICE PRESIDENT. The Secretary will read the portion of the Journal referred to.

The Secretary read as follows:

Pending further debate, Mr. WILLIAMS gave notice of an amendment intended to be proposed to Rule XXII of the Senate, as follows:

"Insert after the words 'to lay on the table,' in Rule XXII, the following:

"Any Senator arising in his place and asserting that in his opinion an attempt is being made on the floor of the Senate to obstruct, hinder, or delay the right of the Senate to proceed to a vote, the Chair shall, without permitting any debate thereon, put the question to the Senate, 'Is it the sense of the Senate that an attempt is being made to obstruct, hinder, or delay a vote?' And if that question shall be decided in the affirmative, then it shall be in order, to the exclusion of the consideration of all other questions, for any Senator to move to fix a time for voting on the pending bill or resolution and all amendments thereto, and the said motion shall be decided without debate: *Provided, however*, That the time fixed in said motion for taking the vote on the pending bill or resolution and all amendments thereto shall be at least two calendar days after the day on which said motion is made."

Pending further debate, on motion of Mr. CLARKE of Arkansas, at 6 o'clock and 10 minutes p. m., that the Senate adjourn—

Mr. SMOOT. That is all I desire to have read at this time.

The Journal is not complete in the statement that when the Senator from Mississippi gave notice of the proposed amendment to the rules I objected to the giving of the notice. As the RECORD will show, I objected upon the ground that it was after 2 o'clock, and that after 2 o'clock no morning business could be transacted, unless by unanimous consent.

The VICE PRESIDENT. Where is the RECORD?

Mr. SMOOT. I will call the attention of the presiding officer to page 3340 of the RECORD, and I will read it—

Mr. WILLIAMS. Mr. President, then there is no dispute about that fact.

Mr. SMOOT. I beg pardon; I did not understand the remark of the Senator.

Mr. WILLIAMS. I say there is no dispute about that fact.

Mr. SMOOT. I want the Journal to show that I objected.

Mr. WILLIAMS. The Journal ought also to show that when the Senator from Utah contended it was out of order I contended that it was not, and the Presiding Officer, whoever was in the chair at the time, said the protest would be noted, so that the matter had to come up later.

Mr. GALLINGER. Mr. President, if the Senator from Utah will pardon me, the Senator from Utah will observe that at a subsequent time I made a similar objection, and the Chair sustained the objection I made, which appears in the Journal.

Mr. SMOOT. That appears in the RECORD on page 3375, and the Journal is correct upon that point; but it is not complete, Mr. President, on the question which I have now brought to the attention of the Senate.

Mr. President, after the Senator from Mississippi [Mr. WILLIAMS] said that he would offer the notice, I said:

Mr. President, I object.

Mr. WILLIAMS. I ask that it be read.

The PRESIDING OFFICER. Does the Senator from Utah object to receiving the amendment at this time?

Mr. SMOOT. I do.

Mr. ROOT. Mr. President—

The PRESIDING OFFICER. The Secretary will read the notice.

Mr. WILLIAMS. I ask the Secretary to return it to me. I shall myself read it, thus giving the notice under the rules requiring 24 hours.

Then he read the notice, after which the following occurred:

Mr. SMOOT. Mr. President—

Mr. WILLIAMS. I give that notice under the rule.

Mr. SMOOT. I have no objection, of course, to the Senator giving it—

I said "reading it," and the RECORD is wrong in that respect, because I said, "I have no objection to the Senator reading it," not "giving it"—

but I object to its being offered at this time. It is after 2 o'clock, and I also call attention to the fact that some six hours ago—

Then the Senator from Mississippi interrupted:

Mr. WILLIAMS. It is a question of the highest privilege to offer a motion to amend the rules.

Mr. SMOOT. No; it is not.

The PRESIDING OFFICER. Does the Senator from Utah make a point of order?

Mr. SMOOT. Yes; I object to the introduction of the notice.

The PRESIDING OFFICER. The notice has been given to the Senate, but the effect of the notice will be for consideration at a future time.

Mr. WILLIAMS. I have not offered a motion. I have given notice that I would offer it, and what the Senator is referring to concerns a motion.

Mr. SMOOT. The rules provide that the motion shall be in writing and shall go to the desk, and it must be in order before it can be presented. Already we are working on the legislative day of February 5; it is after 2 o'clock, and the unfinished business is before the Senate. There can be nothing offered, no bill or conference report or otherwise, unless by unanimous consent, and I object to the offering of this notice.

Mr. WILLIAMS. It is not offered as a motion.

Mr. SMOOT. It is a notice.

The PRESIDING OFFICER. The objection is noted.

Mr. SMOOT. Is the objection sustained, Mr. President?

The PRESIDING OFFICER. There is nothing to which the objection is directed. The Senator from Mississippi has read the notice for the information of the Senate, and that is everything which has thus far transpired.

Mr. SMOOT. And that is all.

That is the RECORD, Mr. President, as it appears here, and there is nothing there to show that the Senator from Mississippi had authority to offer it. I objected to the notice being given at that time, and I think, Mr. President, the Chair sustained the objection. Certainly, under every ruling of the Chair in the past that I know anything of, the Senator had no right to offer that notice at that time.

The VICE PRESIDENT. There does not seem to have been any ruling, however.

Mr. SMOOT. Of course, I took it for granted, Mr. President, from what the Presiding Officer said, that the notice was not offered in the regular order, because the Senator read it himself. There was no objection to his reading it as a part of his speech, as I stated, but he certainly did not have the right under the rules to offer it except in its regular order, as the rules require.

Mr. WILLIAMS. Mr. President—

The VICE PRESIDENT. The Senator from Mississippi.

Mr. WILLIAMS. To take up that matter is not now in order. If the Senator from Utah wishes to move to amend the Journal by having the Journal show that he did make the objection, I think the Journal ought to be amended to show it. I am perfectly willing to have the Journal amended to show it. After we are through with the Journal I shall rise to a question of parliamentary inquiry. We can then settle the dispute between us, and my conduct will be governed accordingly.

I am perfectly willing—and I think the Journal ought to be corrected, as a matter of fact, to show that the Senator from Utah did make the objection upon the ground that it was after the morning hour.

Mr. SMOOT. I desire that the Journal shall be corrected, by showing the fact that I did object to its introduction at that time, and the reasons why.

The VICE PRESIDENT. The Journal may be corrected.

Mr. REED. Mr. President, I rise to a correction of the Journal.

Mr. WILLIAMS. Mr. President—

Mr. REED. I rise to a further correction of the Journal.

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. Mr. President, I likewise gave a notice of a proposed amendment to the rules, and sent it to the desk and had it read. A point of order was made against it, which was not ruled upon. The Journal shows that the point of order was sustained. In that respect the Journal is inaccurate, and I move to strike out the following words from the Journal:

The Presiding Officer sustained the question of order.

I call attention now to the RECORD, page 3375:

Mr. REED. Will the Senator yield to me for a moment?

Mr. McCUMBER. For a question, so that I do not lose the floor; that is all.

Mr. REED. That is understood. I ask to have read to the Senate, to go into the RECORD, what I send to the desk.

The PRESIDING OFFICER. The Secretary will read.

Thereupon the notice was read.

Mr. GALLINGER. Mr. President, I raise the point of order that that can not be received under existing circumstances.

Mr. REED. I will amend by inserting, after "February 19," the figures "1915."

Mr. GALLINGER. I raise the point of order against its reception, Mr. President.

The PRESIDING OFFICER. Does the Chair understand that the Senator from North Dakota yielded to the Senator from Missouri?

Mr. GALLINGER. But it is after 2 o'clock.

Mr. McCUMBER. I yielded for nothing that would take me off the floor.

Mr. GALLINGER. No business can be received under existing conditions, and I desire to say it is the duty of the Chair, under the rule, to enforce it without attention being called to it. It is after 2 o'clock of the legislative day of February 5, and neither a notice nor any other business can be received or transacted by the Senate without unanimous consent. I call attention—

The PRESIDING OFFICER. The Chair had in mind whether unanimous consent was given or not when the Senator from Missouri presented it.

Mr. GALLINGER. There was no evidence given of the notice and he knew nothing as to what it was.

Mr. REED. It is merely a question of notice which is now presented to the Senate.

Mr. BRANDEGEE. Mr. President, I rise to a point of order.

Mr. REED. The question whether it is legally or properly a notice is to be settled when we come to a consideration of the rule.

Mr. BRANDEGEE. Mr. President, I make the point of order that the rule provides that a Senator shall not be interrupted for any such purpose, and it is the duty of the Chair, without any Senator calling it to the attention of the Chair, to enforce the rule.

Mr. REED. I have not yielded.

The PRESIDING OFFICER. The Senator from North Dakota has the floor. The Chair had a right to ask if unanimous consent was given.

Mr. STONE. Mr. President, I rise to a question of order. Did the Senator from North Dakota yield to the Senator from Missouri?

The PRESIDING OFFICER. The Senator from North Dakota yielded on condition that he was not yielding the floor.

Mr. STONE. I raise the question of order that the Senator can not yield the floor for the introduction of new business on any condition.

Mr. BRANDEGEE. I have raised the same point of order.

Mr. GALLINGER. That is the very point I made.

Mr. STONE. I now ask for the recognition of the Chair to take the floor in my own right.

Mr. McCUMBER. I have not yielded.

The PRESIDING OFFICER. The Chair said the Senator from North Dakota did not yield the floor.

Mr. McCUMBER. I did not yield, and I stated that I would not yield the floor.

The PRESIDING OFFICER. The Chair will ask the Official Reporter to read what transpired at the time the junior Senator from Missouri made the request of the Senator from North Dakota.

Mr. STONE. I do not press it further. I withdraw it.

Mr. REED. I want to say to the Senator—

The PRESIDING OFFICER. Just a moment. The Official Reporter will read.

Mr. GALLINGER. It is withdrawn.

Mr. McCUMBER. I understand it is withdrawn, and it is not necessary for the reporter to read.

The PRESIDING OFFICER. Has the junior Senator from Missouri withdrawn his request?

Mr. REED. I did not withdraw my notice, but my colleague withdrew his request, because I stated to him what I had said to the Senator from North Dakota, that I would not take him off his feet.

Mr. GALLINGER. That is right. Now, Mr. President—

The PRESIDING OFFICER. The notice has been read, and it will go into the RECORD.

Mr. GALLINGER. The Senator has not a right to give the notice, and I make the point of order that it is not in order to present it at the present time.

Mr. McCUMBER resumed his speech.

So, Mr. President, there was absolutely no ruling on the point of order. The notice was read to the Senate, and it appears in the RECORD, and the question as to whether or not it was properly given is one to be hereafter passed upon. Therefore I move to strike out of the minutes the words:

The Presiding Officer sustained the question of order.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. The Senator from New Hampshire.

Mr. GALLINGER. A careful reading of the RECORD sustains the position the Senator from Missouri takes this morning. I had supposed that the point was sustained by the Presiding Officer. That was my impression at the time.

Mr. LEA of Tennessee. Mr. President, will the Senator from New Hampshire yield to me?

Mr. GALLINGER. Certainly.

Mr. LEA of Tennessee. I was in the chair at the time, and I did decide the point of order.

Mr. GALLINGER. The Senator did decide the point of order?

Mr. LEA of Tennessee. I sustained the point of order, and so instructed the Journal clerk.

Mr. GALLINGER. I so understood, Mr. President. I am glad to have the Senator from Tennessee verify my recollection of it, but, unfortunately, the CONGRESSIONAL RECORD does not show that to have been the fact. I was so positive it was the fact that I was very much surprised when the Senator from Missouri read the RECORD.

Mr. REED. Mr. President—

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. The Senator from Tennessee has confused this proposition with some other. I distinctly had in mind, when I offered this motion, that a point of order would be made against it. I distinctly had in mind that I intended to prevent a ruling upon that point of order, so that the questions could all be brought up together. I stood very close to the desk, and I went through with this proposition, and every word that was said that was audible to me appears in the RECORD, and the RECORD stands here as a verity.

What the Senator from Tennessee has in mind, I think, is that he sustained the right of the Senator from North Dakota [Mr. McCUMBER] to keep the floor. There was a dispute. The Senator will remember that my colleague [Mr. STONE] came into the Chamber while the matter I was presenting was under discussion, and claimed the right to the floor upon the ground that the Senator from North Dakota had yielded, and that led to some colloquy back and forth. That was at this exact time, as the RECORD shows. So I insist that my motion to correct the RECORD ought to prevail, and then the question of the ruling can be settled later on.

Mr. GALLINGER. Mr. President, in view of the statement made by the Senator from Tennessee, who was in the chair,

and inasmuch as it confirms my recollection of the matter, I hope the motion will not prevail.

Mr. LEA of Tennessee. Mr. President—

The VICE PRESIDENT. The Senator from Tennessee.

Mr. LEA of Tennessee. The Official Reporters at that time were, naturally, having a great deal of difficulty in taking down everything that transpired. The attitude of the Chair was that the notice of the Senator from Missouri had been read, and the question was whether or not it would be received by the Senate as a formal notice. After several collateral questions had arisen, the Senator from New Hampshire made the point of order that it could not be received. The Chair sustained the point of order, and, as he thought, in an audible tone. The Journal Clerk then turned and asked whether he was correct in putting down the fact that the point of order had been sustained, and the Chair so instructed the Journal Clerk.

The VICE PRESIDENT. The question is on the motion of the Senator from Missouri to correct the Journal. [Putting the question.] By the sound the ayes seem to have it.

Mr. GALLINGER and Mr. SMOOT called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. THORNTON (when Mr. RANDELL's name was called). I desire to announce the necessary absence of my colleague, the junior Senator from Louisiana [Mr. RANDELL], and to say that he is paired with the junior Senator from Massachusetts [Mr. WEEKS]. I ask that this announcement may stand for the day.

The roll call was concluded.

Mr. WEEKS. I have a pair with the junior Senator from Louisiana [Mr. RANDELL]. I ask that this announcement may stand for the day.

Mr. BRADY. I wish to inquire if the junior Senator from Kansas [Mr. THOMPSON] has voted?

The VICE PRESIDENT. He has not.

Mr. BRADY. I have a general pair with that Senator, and therefore withhold my vote.

The roll call resulted—yeas 17, nays 66, as follows:

YEAS—17.

Chilton	Martin, Va.	Simmons	Walsh
Fletcher	Martine, N. J.	Smith, Md.	White
Gore	Myers	Stone	
James	Reed	Thomas	
Lee, Md.	Saulsbury	Tillman	

NAYS—66.

Ashurst	Dillingham	McCumber	Shively
Bankhead	du Pont	McLean	Smith, Ariz.
Borah	Fall	Nelson	Smith, Ga.
Brandeggee	Gallinger	Norris	Smith, Mich.
Bristow	Goff	O'Gorman	Smith, S. C.
Bryan	Gronna	Oliver	Smoot
Burleigh	Hardwick	Overman	Stephenson
Burton	Hitchcock	Owen	Sterling
Camden	Hollis	Page	Sutherland
Catron	Hughes	Penrose	Swanson
Chamberlain	Johnson	Perkins	Thornton
Clapp	Jones	Polindexter	Townsend
Clark, Wyo.	Kenyon	Robinson	Warren
Colt	La Follette	Root	Williams
Crawford	Lea, Tenn.	Shafroth	Works
Culberson	Lippitt	Sheppard	
Cummins	Lodge	Sherman	

NOT VOTING—13.

Brady	Lewis	Ransdell	Weeks
Clarke, Ark.	Newlands	Shields	
Kern	Pittman	Thompson	
Lane	Pomerene	Vardaman	

The VICE PRESIDENT. On the motion to correct the Journal, made by the Senator from Missouri [Mr. REED], the yeas are 17 and the nays are 66; so the Journal stands in that particular as read.

Mr. REED. Mr. President, I simply want to say a single word. I do not think the recollection of a man who happens to be in the chair ought to be any stronger than the recollection of a man who has proposed the motion and is watching the proceedings, when that Senator is backed by the solemn record taken in shorthand. The shorthand record ought to be followed.

Mr. GALLINGER. Mr. President, let us have the regular order.

The VICE PRESIDENT. The question now is on the approval of the Journal. There being no further errors to point out, the Journal will stand approved as read, subject to future correction.

Mr. WILLIAMS. Mr. President, I rise for the purpose of making a parliamentary inquiry.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

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. 2334) for the relief of S. W. Langhorne and the legal representatives of H. S. Howell, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills:

- S. 145. An act for the relief of Charles Richter;
 - S. 543. An act to correct the military record of John T. Haines;
 - S. 604. An act for the relief of Sarah A. Clinton and Marie Steinberg;
 - S. 926. An act for the relief of the Georgia Railroad & Banking Co.;
 - S. 1044. An act for the relief of Byron W. Canfield;
 - S. 1060. An act fixing the date of reenlistment of Gustav Hertfelder, first-class fireman, United States Navy;
 - S. 1304. An act authorizing the Department of State to deliver to Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johansson, United States Revenue-Cutter Service, watches tendered to them by the Canadian Government;
 - S. 1377. An act for the relief of Alfred S. Lewis;
 - S. 1703. An act for the relief of George P. Chandler;
 - S. 1880. An act for the relief of Chester D. Swift;
 - S. 2304. An act for the relief of Chris Kuppler;
 - S. 2882. An act for the relief of Charles M. Clark;
 - S. 3419. An act admitting to citizenship and fully naturalizing George Edward Lerrigo, of the city of Topeka, in the State of Kansas;
 - S. 3525. An act for the relief of Pay Inspector F. T. Arms, United States Navy;
 - S. 3925. An act for the relief of Teresa Girolami;
 - S. 5092. An act for the relief of Charles A. Spotts;
 - S. 5254. An act authorizing the Secretary of the Interior, in his discretion, to sell and convey a certain tract of land to the Mandan Town and Country Club;
 - S. 5497. An act authorizing the issuance of patent to Arthur J. Floyd for section 31, township 22 north, range 22 west of the sixth principal meridian, in the State of Nebraska;
 - S. 5695. An act for the relief of the Southern Transportation Co.;
 - S. 5970. An act for the relief of Isaac Bethurum; and
 - S. 5990. An act to authorize the sale and issuance of patent for certain land to William G. Kerckhoff.
- The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:
- H. R. 2668. An act for the relief of the heirs of Ellery B. Wilmar;
 - H. R. 7043. An act for the relief of Nabor and Victoria Leon;
 - H. R. 11839. An act for the relief of William Ham;
 - H. R. 11927. An act for the relief of Matthew McDonald;
 - H. R. 12075. An act to correct the military record of A. W. Sudduth;
 - H. R. 12369. An act for the relief of John Healy;
 - H. R. 13373. An act for the relief of Charles V. Wells;
 - H. R. 13756. An act for the relief of Augustus Dudley Hubbell;
 - H. R. 15168. An act for the relief of Lyman D. Drake, jr.;
 - H. R. 15666. An act for the relief of John A. Ryan;
 - H. R. 15934. An act for the relief of Mrs. Joseph Cameron;
 - H. R. 16594. An act for the relief of Eva G. Bond and Daisy E. Jackson, sole heirs of the late Warren F. Jackson;
 - H. R. 16650. An act for the relief of Thomas P. Darr;
 - H. R. 16777. An act for the relief of Amato Castellano, Libero Baranello, and Michele Baranello;
 - H. R. 16896. An act for the relief of Col. Richard H. Wilson, United States Army;
 - H. R. 17122. An act for the relief of John Burrows;
 - H. R. 17174. An act to pay the claim of the American Towing & Lightering Co. for damages to its tug *Buccaneer*;
 - H. R. 17343. An act for the relief of Charles L. Pritchard;
 - H. R. 17842. An act for the relief of George Richardson;
 - H. R. 18197. An act for the relief of Arthur W. Fowler;
 - H. R. 18572. An act granting permission to Mrs. R. S. Abernethy, of Lincolnton, N. C., to accept the decoration of the bust of Bolivar;
 - H. R. 18884. An act for the relief of Daniel Jordan;
 - H. R. 19376. An act confirming patents heretofore issued to certain Indians in the State of Washington;
 - H. R. 19497. An act to amend the military record of George W. Laland;
 - H. R. 20439. An act for the relief of the heirs of the late Frank Henry Rogers;

H. R. 20702. An act authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Robert Caldwell Culbertson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa.;

H. R. 20800. An act for the relief of Charlotte M. Johnston;

H. R. 21077. An act for the relief of W. F. Crawford; and

H. R. 21126. An act to authorize the change of name of the steamer *General Garretson* to *S. H. Robbins*.

AMENDMENT OF THE RULES.

The VICE PRESIDENT. The Senator from Mississippi [Mr. WILLIAMS] has been recognized.

Mr. POINDEXTER. Mr. President—

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

Mr. WILLIAMS. To ask a question, but for nothing else.

Mr. POINDEXTER. I wish to make an inquiry about the message just received from the House of Representatives. I did not hear very well the number of a bill filed. I should like to inquire if House bill 16896 is included in the bills?

Mr. WILLIAMS. I yielded for an inquiry, and I thought the Senator rose to make an inquiry. Yielding for an inquiry at the desk might involve a different question. The Senator can make that inquiry later.

The VICE PRESIDENT. It is among the bills received.

Mr. POINDEXTER. Will the Senator from Mississippi yield to me long enough to ask for the immediate consideration of that bill?

Mr. WILLIAMS. No; I will not.

Mr. President, I rise for the purpose of making a parliamentary inquiry and with a view of obtaining a parliamentary determination of the question which was raised yesterday by the Senator from Utah [Mr. Smoot]. There is no dispute about the facts, Mr. President.

Mr. LODGE. Mr. President, we can not hear what is being said.

The VICE PRESIDENT. The Senator will suspend until there can be order in the Chamber.

Mr. WILLIAMS. I am sure that is my fault. I always start off in a low voice. If the Senator had waited a moment I think he would have got it. I repeat, Mr. President, I rise for the purpose of making a parliamentary inquiry and obtaining a parliamentary determination by the Senate of the question at issue raised by the objection made by the Senator from Utah [Mr. Smoot] upon yesterday to a notice which I proposed to give to change the rule. There is no dispute about the facts at all. I had the floor in my own right, unlike the case of the Senator from Missouri, where the Chair sustained the objection. Having the floor in my own right, I said that I proposed to give notice under the rule for a motion to change Rule XXII, giving that notice in writing in the manner demanded by Rule XL of the Senate. That rule reads as follows:

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

This is the only thing in the rules of the Senate which relates to the subject of a notice to amend the rules of the Senate. The purpose of the rule, in the light of which the rule is to be construed, is that a question of changing the rules of the Senate shall not come up for consideration until Senators have had an opportunity to read the proposed change in the CONGRESSIONAL RECORD. It is not a motion, it is not a resolution, it is not legislative in its character in any degree; it is a notice, and it is not a notice to be received but a notice to be given.

There is no method provided wherein the Senate receives or refuses to receive the notice. There is no vote of the Senate involved in the proposition. You have the right to give the notice, and no vote comes up at all, except when a motion later on is made that the motion to amend shall be referred to the Committee on Rules.

Mr. President, I ask the attention of the Senator from Massachusetts, who did not hear me a moment ago. The Senator from Utah [Mr. Smoot] made the objection upon the ground that the morning hour had expired, so it follows that in his opinion notices for a change in the rules ought to be considered in the morning hour.

When you turn to Rule VII of the Senate it says what business shall be considered in the morning hour and the order in which it shall be considered. First—

The presentation of petitions and memorials.

This notice is neither a petition nor a memorial.

Reports of standing and select committees.

This is not a report of any sort of a committee.

The introduction of bills and joint resolutions.

This is neither a bill nor a joint resolution nor the introduction of one, but a notice under Rule XL, a mere administrative act, not a legislative act at all, the object of which is to give Senators an opportunity to know the nature of the proposed change before they consent to send it to the committee or to take any other action upon it.

Concurrent and other resolutions.

All of which shall be received and disposed of in such order, unless unanimous consent shall be otherwise given.

Mr. President, there is not a rule of the Senate which confines the giving of a notice to change the rules of this body to the morning hour. Of course, when a Senator rises and proposes to make a report or to introduce a bill, except such bills as are permitted to be handed in at the desk by a general rule, or to present a memorial or a petition, the rule requiring that to be done in the morning hour is operative unless unanimous consent can be obtained to present either one of them out of order after the time fixed by the rules of the Senate when they shall be presented.

The mistake in the mind of the Senator from Utah is in regarding this notice as a legislative act. The notice is not a legislative act. It is not even a resolution; it is not a bill; it is not anything except a compliance with an act which the rule requires shall be taken before a motion to amend the rules shall be considered or referred.

I contend, Mr. President, that the point of order made by the Senator, to wit, that the notice could not be received at that time, was not well taken, because he put it upon the ground—and it is the only ground on which he can place it, and that ground is not a good one—that it was after the morning hour.

Now, let me go on with the facts, Mr. President, for they are important. I had the floor in my own right. The notice was read. It was read by me. The rules do not require that the notice shall be read by the Secretary. There is no rule of this body which says so. In fact, it is very doubtful as to whether it is necessary that it should be read at all. The rule merely requires that the notice shall be given in writing; but as there is no way of conveying to the Senate the substance of a notice given in writing except by reading, it follows, I think, that it must be read by somebody. It is not like a bill or a joint resolution, where the rules require that it shall be read by the Secretary, altogether three times, and all that. Rule XL says nothing except that this notice shall be given.

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended.

That is the only limitation upon the power to give notice to change the rules of this body. Why is it the only limitation? Because it is necessarily a matter of the highest privilege to submit to any legislative body a proposition to change the rules whereunder it does business, so much so that the committee on rules in most bodies has special privileges, and a report from that committee to change the rules of the body has precedence over nearly all other sorts of business.

Mr. President, I contend that this notice was given in writing, as required by the rule, specifying the rule to be changed; that it was read, so that the Senate might know that it had been given. The reading is not the essence of it; the giving in writing is of the essence, and the reading is mere testimony to the fact that the notice in writing was given; that is all.

I contend, moreover, and there is no dispute about that, the Chair did not decide the point of order made by the Senator from Utah, but expressly said that that would receive consideration at a future time. I am not giving the exact language of the Chair, but that was the substance of it. Was it not? I appeal to the Senator from Utah.

Mr. SMOOT. I will give the exact wording of the Presiding Officer.

Mr. WILLIAMS. Well, give it to me.

Mr. ROOT. On what page?

Mr. SMOOT. On page 3758 of the Record.

The PRESIDING OFFICER. There is nothing to which the objection is directed. The Senator from Mississippi has read the notice for the information of the Senate, and that is everything which has thus far transpired.

Mr. SMOOT. And that is all.

Mr. WILLIAMS. But, later, the Chair says something about the matter.

Mr. SMOOT. It must be before that. I will read all the Chair said.

Mr. WILLIAMS. All right, when you get it. I will go ahead, and you can read it later.

The Chair said nothing is before the Senate for consideration; the Senator from Mississippi has read the notice. For what?

For the information of the Senate. The sole object of reading a notice to amend the rules is for the information of the Senate. If this had been a resolution or a bill when it is read merely for information it is, of course, not a reading for consideration by the Senate of the bill itself, but the sole object of reading this notice is the information of the Senate.

This notice was given in writing, as required by the rule, and it was read for the only purpose for which this sort of paper can be read, to wit, for the information of the Senate, because the consideration of it does not come up until 24 hours afterwards, and can not come up. Of course the Chair was correct in that, and the Chair was correct later in stating that that would be a matter of future consideration; that is to say, the point of order made by the Senator and what I said not in the shape of argument, that it was a matter of high privilege.

Mr. LODGE. Mr. President—

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. LODGE. Mr. President, there is no general rule among the Senate rules governing what are called notices. Ordinary notices, like notices of a speech or notice that a Senator intends to call up or move to take up a bill are mere matters of information; they have no binding effect whatever. There being no general rule as to notices we must judge this upon the rule which establishes it. The other notices have no parliamentary standing whatsoever. This notice has a parliamentary standing because it is included in a rule. The rule requires that the notice shall be given in writing. I will read the language.

Except on one day's notice in writing, specifying precisely—

And so forth.

The VICE PRESIDENT. Now, stop there. Was it not in writing?

Mr. LODGE. I was going to touch on that. I think it was not. The mere reading by a Senator in his place does not constitute the notice in writing required by the rule.

Mr. WILLIAMS. But, Mr. President—

Mr. LODGE. Let me finish. For the Senate to take official notice and have parliamentary possession of a notice in writing it must come into the possession of the Senate. It must be formally received as a House bill is received, and it is not received until it is laid before the Senate. This notice, as I understand, was not filed at the desk and has never been received by the Senate. This notice is an integral part of legislative action. You can not put it on the ground that it is a mere notice. It is a part of the procedure for changing the rules. It is established by the Senate and is an inseparable portion of the procedure for changing the rules. It is not a mere notice of no binding parliamentary force.

I have not looked at the RECORD, but I believe it was sent to the desk; but it was not read from the desk, but was returned. Is that correct?

Mr. SMOOT. Yes.

Mr. GALLINGER. The Senator from Mississippi took it back.

Mr. LODGE. The Senator from Mississippi went to the desk and took the resolution back, and it was not read from the desk. Therefore it has never been in the possession of the Senate. It has never been received by the Senate. The mere reading of it and having it printed in the RECORD is not a notice under the rule. The notice, to have a parliamentary standing, must be in possession of the Senate formally, as a bill is put formally in possession of the Senate. That has never occurred to this notice, and I repeat it is an integral part of the legislation proposed, which is a change of the rules of the Senate.

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. The Senator from Utah. On what page is it in the CONGRESSIONAL RECORD?

Mr. SMOOT. On page 3758.

Mr. WILLIAMS. If the Senator from Utah will pardon me a moment, I want to correct an error made by the Senator from Massachusetts. The Senator says the notice was not sent to the desk. Here is what happened. The notice was sent to the desk.

Mr. LODGE. I said so.

Mr. WILLIAMS. Wait a moment.

Mr. LODGE. I said it was sent to the desk.

Mr. WILLIAMS. The Presiding Officer ordered the Secretary to read it. You will find it on page 3758 of the RECORD of February 9:

The PRESIDING OFFICER. The Secretary will read the notice.

Mr. WILLIAMS. I ask the Secretary to return it to me. I shall myself read it, thus giving the notice.

So there was the order of the Chair to read the notice, and the only thing that took place at all was that the reading was done, and although the Chair had ordered the Secretary to read

it, I read it; nobody objecting, it must have been done, of course, by unanimous consent.

Mr. SMOOT. Oh, no.

Mr. LODGE. Oh, no.

Mr. SMOOT. Allow me to correct the Senator from Mississippi. The Senator from Mississippi, at the conclusion of his remarks upon that day, made this statement:

Mr. President, I now offer the following notice of a motion to amend the rules, to go over for 24 hours under the rule.

Mr. SMOOT. Mr. President, I object.

Mr. WILLIAMS. I ask that it be read.

Then the Presiding Officer said:

Does the Senator from Utah object to receiving the notice at this time?

Mr. SMOOT. I do.

Mr. ROOT. Mr. President—

Then the Presiding Officer interrupted the Senator from New York:

The PRESIDING OFFICER. The Secretary will read the notice.

I was going to object to that, but the Senator from Mississippi rose and said:

I ask the Secretary to return it to me. I shall myself read it, thus giving the notice under the rules requiring 24 hours.

He read the notice, and I immediately said:

I have no objection, of course, to the Senator reading it, but I object to its being offered at this time. It is after 2 o'clock; and I also call attention to the fact that some six hours ago—

Then the Senator from Mississippi interrupted me again.

Mr. President, the notice has never been printed, and it has never been laid upon the desks of Senators, as it would have been if it had been presented to the Senate.

Mr. ROOT. Mr. President, may I call the attention of the Senator from Utah to a further expression, which is necessary to complete the statement?

Mr. REED. Mr. President, I rise to make an inquiry and not to interrupt. I wish to ascertain whether the Senator from Massachusetts [Mr. LODGE] is still holding the floor or whether the Senator from Utah [Mr. SMOOT] has the floor?

Mr. LODGE. No; I am not holding the floor. I rose to obtain recognition, and I shall wait until opportunity offers.

Mr. ROOT. The conclusion of the whole matter referred to by the Senator from Utah was in these words:

The PRESIDING OFFICER. There is nothing to which the objection is directed. The Senator from Mississippi has read the notice for the information of the Senate, and that is everything which has thus far transpired.

Mr. SMOOT. Then, Mr. President—

Mr. WILLIAMS. Will the Senator pardon me just a moment?

Mr. SMOOT. Then I said immediately after that:

And that is all.

I was content, Mr. President, as the objector, if that was the situation in the Senate. I had no objection whatever to the Senator reading the notice as a part of his speech.

Mr. WILLIAMS. I beg pardon; that was not all the Presiding Officer said. Upon the same page, and just above it, the Senator will find that the Presiding Officer used this language:

The notice has been given to the Senate, but the effect of the notice will be for consideration at a future time.

Then the Chair later added what the Senator from New York [Mr. ROOT] has just stated.

Mr. SMOOT. Yes; but he added that after I made this statement:

The rules provide that the motion shall be in writing, and shall go to the desk, and it must be in order before it can be presented. Already we are working on the legislative day of February 5; it is after 2 o'clock and the unfinished business is before the Senate. There can be nothing offered, no bill or conference report or otherwise, unless by unanimous consent, and I object to the offering of this notice.

Then the Presiding Officer made this statement:

The PRESIDING OFFICER. There is nothing to which the objection is directed. The Senator from Mississippi has read the notice for the information of the Senate and that is everything which has thus far transpired.

Mr. SMOOT. And that is all.

Mr. WILLIAMS. Mr. President—

The VICE PRESIDENT. The Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I now ask for a ruling by the Chair. I want a ruling for this reason: I am very doubtful if a notice of this sort can be given during the morning hour, because the rules enumerate just the things which can be done during the morning hour, and this is not one of them. If it can not be done during the morning hour, and can not be done after the morning hour, it can not be done at all. I therefore ask for a ruling of the Chair.

Mr. SMOOT. In answer to the Senator from Mississippi, I will say that if there had not been unfinished business, of course the notice could have been presented after the morning hour; but we were on the unfinished business.

Mr. WILLIAMS. That is the point; and I ask for a ruling of the Chair.

The VICE PRESIDENT. There is a rule of the Senate to the effect that a Senator upon the floor can not be taken off his feet for such a purpose as this, or for any other purpose—making a report or introducing a bill or a resolution. As the Chair understands, the Senator from Mississippi had the floor in his own right. The Chair does not see how, except by the exercise of a very refined technicality, there is the slightest doubt in the minds of Senators that the Senator from Mississippi had reduced to writing and read and left upon the Secretary's table this notice. The Chair accordingly rules that the Senator from Mississippi has complied with all the requirements of the law with reference to notice to be given.

Mr. WILLIAMS. Mr. President, I now ask that the resolution be referred to the Committee on Rules.

Mr. SMOOT. On that ruling I appeal from the decision of the Chair, and I ask for the yeas and nays.

The VICE PRESIDENT. Is the request for the yeas and nays seconded?

Mr. SMOOT. Mr. President, I withdraw the appeal.

Mr. LODGE. As I understand, the Senator from Mississippi asks to have the notice referred to the Committee on Rules.

Mr. WILLIAMS. Yes.

The VICE PRESIDENT. Without objection, it is so ordered. The Chair lays before the Senate a notice, which will be read.

The Secretary read as follows:

UNITED STATES SENATE,
Washington, D. C., February 11, 1915.

MR. PRESIDENT: I very respectfully move that the honorable Committee on Rules be discharged from further consideration of S. Res. 283, proposing an amendment to Rule XIX of the Standing Rules of the Senate and proposing cloture.

ROBERT L. OWEN.

Mr. GALLINGER. Let that go over one day.

The VICE PRESIDENT. It goes over under the rule. The Chair lays before the Senate a notice, which will be read.

The Secretary read as follows:

To the United States Senate:

Pursuant to the provisions of Rule XL of the Standing Rules of the Senate, I hereby give notice that I propose the following amendment to the Standing Rules of the Senate: Add at the end of Rule XXII of the Standing Rules of the Senate the following:

"Not later than the hour of 2 o'clock p. m. of the calendar day February 19, 1915, all debate upon Senate bill No. 6856 shall cease, and at the time aforesaid the Senate shall proceed to vote upon said bill and all amendments thereto without further debate. The final vote upon said bill shall be taken not later than 5 o'clock p. m. of said date. The foregoing proceedings shall have precedence over all other motions whatsoever."

I will move the adoption of said amendment as soon as permitted by the rules of the Senate so to do.

The purpose of said proposed amendment is to terminate the obstructive tactics now being pursued with reference to the above-named bill and to cause a vote to be had thereupon at the time above specified.

JAS. A. REED.

The VICE PRESIDENT. The notice will go over.

Mr. LODGE. Mr. President, one moment. I make the point of order on the notice that has been read that it is obviously and on its face not an amendment to the standing rules of the Senate. The rules of the Senate are standing rules, and to be an amendment to the rules the amendment must be general in its character, like the amendment just offered by the Senator from Mississippi [Mr. WILLIAMS]. This proposition carries on its face the statement that it terminates on February 19; that it deals with a special bill. It can not, therefore, be a standing rule of the Senate. This proposed amendment is a special order, which it is perfectly proper to offer; but I make the point of order that it is not and can not be an amendment to the standing rules of the Senate, because it expires by its own limitation on the 19th of February. The standing rules of the Senate, as the term implies, are general and continuous rules, while this is limited to a particular case.

The VICE PRESIDENT. The Chair does not think he is called upon now to decide that question. The proposition is presented, and assumes to be a notice to amend the rules of the Senate. It goes over for a day. When it comes up it will then be for the Senate to determine whether or not it is an amendment of the rules. At the present time the Chair does not feel called upon to decide that question.

Mr. GALLINGER. Are petitions in order, Mr. President?

The VICE PRESIDENT. Not yet. The Chair has a few matters on the table which he desires to lay before the Senate.

The Chair has received copies of the telegrams introduced by the Senator from Missouri, and will therefore not lay them before the Senate.

PUBLIC PRINTING AND BINDING (H. DOC. NO. 1586).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, suggesting certain amendments

to be included in the bill to amend, revise, and codify the laws relating to the public printing and binding and distribution of Government publications, which was ordered to lie on the table and be printed.

PURCHASE OF ARMY SUPPLIES (S. DOC. NO. 940).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, suggesting certain proposed changes to be made in the Army appropriation bill relative to the purchase or manufacture of stores or material by the Government, which was referred to the Committee on Military Affairs and ordered to be printed.

ESTIMATES OF APPROPRIATIONS (S. DOC. NO. 939).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior, submitting estimates of appropriations for contingent expenses, office of the secretary of the Territory of Alaska, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the Court of Claims, transmitting certified copies of the findings of fact and conclusion filed by the court in the following causes:

The cause of Esther E. Hale, widow of Christopher J. Hale, v. The United States (S. Doc. No. 943); and

The cause of Lydia E. Butler, widow of George A. Butler, v. The United States (S. Doc. No. 942).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution of the Senate of the State of California, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

STATE OF CALIFORNIA, SENATE CHAMBER,
Sacramento, Cal., January 30, 1915.

Resolution by Senator Kehoe.

Whereas the State of California is most splendidly endowed with rivers and harbors, the improvement of which would have a marked effect upon not only the development of this Commonwealth, but of the entire United States; and

Whereas it is highly desirable, if not essential, to wise national legislation and appropriation on rivers and harbors, that the congressional Committee on Rivers and Harbors acquire intimate and personal knowledge of conditions and possibilities with respect to California's rivers and harbors: Therefore be it

Resolved, That the Senate of the State of California respectfully requests and urges Congress of the United States to empower and authorize its Rivers and Harbors Committee to visit the State of California with the express purpose of personally inspecting all of its harbors and its navigable rivers: And be it further

Resolved, That the Rivers and Harbors Committee of Congress be invited, and the invitation is hereby issued, to visit the State of California for such purpose: And be it further

Resolved, That the president of the senate be authorized to appoint a legislative reception and entertainment committee, to be composed of not less than one member from each congressional district of the State of California to be visited by the Rivers and Harbors Committee of Congress: And be it further

Resolved, That the president of the senate and the speaker of the assembly, the State engineer and the chairman of the State board of control, be ex officio members of said committee: And be it further

Resolved, That said legislative reception and entertainment committee be authorized to make all arrangements with respect to the itinerary of the visiting committee of Congress: And be it further

Resolved, That copies of this resolution be immediately forwarded to the Presiding Officers of both Houses of the National Congress.

Attest:

EDWIN F. SMITH, Secretary of Senate.

The VICE PRESIDENT presented a concurrent resolution adopted by the Legislature of the State of Oklahoma, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

[House concurrent resolution No. 4. By Lemon and McCollister.]

House concurrent resolution memorializing the Congress of the United States to pass the Sheppard-Hobson resolution proposing an amendment to the Constitution of the United States to prohibit the manufacture, sale, transportation, exportation, and importation of intoxicating liquors.

Be it resolved by the House of Representatives of the State of Oklahoma (the Senate concurring), That the Congress of the United States be, and the same is hereby, earnestly memorialized and requested to pass the Sheppard-Hobson resolution proposing an amendment to the Constitution of the United States to prohibit the manufacture, sale, transportation, exportation, and importation of intoxicating liquors at the earliest date possible.

Be it further resolved, That a copy of these resolutions, properly certified, be forwarded at once to the Speaker of the House of Representatives and the President of the Senate, also a copy to each of Oklahoma's Senators and Representatives in Congress.

Passed the house of representatives the 18th day of January, 1915.

A. MCCRORY,
Speaker of House of Representatives.

Passed the senate the 21st day of January, 1915.

M. E. TRAPP,
President of the Senate.

I hereby certify that the above is a true and correct copy of house concurrent resolution No. 4.

J. G. MARCH, Chief Clerk.

The VICE PRESIDENT presented resolutions adopted by the Legislature of the State of Colorado, which were ordered to lie on the table and be printed in the RECORD, as follows:

STATE OF COLORADO,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Colorado, ss:

I, John E. Ramer, secretary of state of the State of Colorado, do hereby certify that the annexed is a full, true, and complete transcript of the house joint memorial No. 1, by Mr. Dunklee, Rocky Mountain National Park (forest reserves and forestry), which was filed in this office the 3d day of February, A. D. 1915, at 3.10 o'clock p. m., and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado at the city of Denver this 4th day of February, A. D. 1915.

[SEAL.]

JNO. E. RAMER, Secretary of State.
By GEORGE M. WILLIAMS, Deputy.

[House joint memorial No. 1, by Mr. Dunklee.]

House joint memorial No. 1. Rocky Mountain National Park (forest reserves and forestry).

To Hon. WOODROW WILSON, President United States of America, and the Congress of the United States:

Resolved, By the house of representatives of the Twentieth General Assembly of the State of Colorado, the senate concurring, that the bill for the establishment of the Rocky Mountain National Park in Colorado that has passed the United States Senate and is now pending in the National House of Representatives be now favorably acted upon and approved by the President of the United States.

The Yellowstone National Park has its "Old Faithful," the Yosemite Valley its "El Capitan," the proposed Rocky Mountain park has "Longs Peak," over 14,000 feet in height, with marvelous canyons, precipitous walls, and dashing waterfalls, while the whole region is one of beauty and grandeur of ever-changing color.

This proposed park is unsurpassed in beauty by any other national park and far more accessible to the great centers of population. Further, it is of the greatest importance to the State and Nation to secure this as a park, and it should be established as such by the passage of the bill now pending in the national House of Representatives. Let the Nation then forever preserve this beautiful and remarkable scenic region for the perpetual use and pleasure of the people.

Further resolved, That this memorial be entered in the records of the general assembly and copies thereof forwarded by the secretary of state to the President of the United States, to the United States National House of Representatives, and to our Senators and Representatives in Congress.

PHILIP B. STEWART,
Speaker House of Representatives.

Attest:

M. E. LEWIS,
President of the Senate.
GEORGE A. CARLSON,
Governor of the State of Colorado.

Approved February 3, 1915.

(Indorsed:) House joint memorial No. 1. Filed in the office of the secretary of state of the State of Colorado on 1915, February 3, p. m. 3.10. Recorded in book —, page —, John E. Ramer, secretary of state, by George M. Williams, deputy. Fees, \$—. No. —. Clerk, —. Miles, —.

The VICE PRESIDENT presented resolutions of the Legislature of the State of Nebraska, which were referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Resolution on irrigation.

Whereas a controversy has arisen between the citizens of Colorado, Wyoming, and also the Reclamation Service of the United States, and the citizens of Nebraska with reference to the control of the waters in the interstate streams; and

Whereas the State of Colorado is claiming to own and control all of the waters of the Republican and Platte Rivers that head in Colorado and pass through the State of Nebraska, and is depriving the citizens of Nebraska of their just rights to the use of the water for irrigation and other purposes in Nebraska, and subsequent appropriators of waters in Colorado have made the South Platte River dry, and deprived the Nebraska citizens of the use of its waters; and

Whereas there is a suit pending in the Federal court between the citizens of Nebraska and the State of Colorado over the rights of Nebraska citizens on the Republican River, and there is also pending in the Federal courts a suit involving the rights of Colorado to take the waters of the North Platte River which head in Colorado; and

Whereas the State of Nebraska ought to protect the rights of its citizens to the waters of the river in Nebraska as against the Federal Government and against the States of Colorado and Wyoming: Therefore be it

Resolved by the House of Representatives of the State of Nebraska in session assembled, That the attorney general of the State of Nebraska is hereby requested and directed to bring an action in Federal court against the State of Colorado and its officials to protect the rights of the Nebraska citizens on the South Platte River. He is further requested and directed to intervene on behalf of the State of Nebraska in the suits pending in the Federal court involving the rights of the State of Nebraska and its people in the waters of the Republican and North Platte Rivers; and be it further

Resolved, That the attorney general of the State of Nebraska is hereby requested and directed to protect in the courts the rights of citizens of the State of Nebraska to the waters of the Pathfinder Reservoir on the North Platte River; and be it further

Resolved, That in order to accomplish this need the Federal Congress be, and it is hereby, urged and requested to pass Senate joint resolution

No. 180, introduced by Senator NORRIS, of Nebraska, conferring upon the State of Nebraska the right to bring an action in the court against the Federal Reclamation Service in order to have adjudicated in the courts the rights of the citizens of the State of Nebraska to the surplus waters of the Pathfinder Reservoir; and be it further

Resolved, That copies of this resolution be forwarded to Senators NORRIS and HITCHCOCK and to the Congressmen from Nebraska, and that copies of this resolution be also forwarded to the United States Senate and the Federal Congress.

A. LA BOUNTY.
W. L. BATES.
W. H. C. WOODHURST.
SCOTT REYNOLDS.
F. E. STEARNS.

W. M. STEBBINS.
M. A. HOSTETLER.
J. E. HARRIS.
SAMUEL M. PATTERSON.

The above and foregoing resolution was duly passed by the house of representatives this 3d day of February, 1915.

G. U. POTTS, Chief Clerk.

The VICE PRESIDENT presented resolutions of the Legislature of the State of Washington, which were referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial No. 5.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, do most respectfully represent and petition:

Whereas in order to secure the exploration and development of coal and oil resources it is necessary that leases be executed by the State of Washington, granting authority to its lessees to explore such coal and oil resources and to extract the same from its lands, and to use so much of the surface as may be necessary therefor upon the payment of a proper rental or royalty; and

Whereas by the terms of the act of Congress approved February 22, 1889, providing for the formation of constitutions and State governments for the States of North Dakota, South Dakota, Montana, and Washington, and the admission thereof into the Union, and making donations of public lands to such States, it was provided that the lands so donated and granted may be leased for periods of not more than five years in quantities not exceeding one section to any one person or company: Now, therefore, be it

Resolved, That the Senate and House of Representatives of the State of Washington do request the Congress of the United States to so amend the aforesaid act of February 22, 1889, as to permit the said several States, including the State of Washington, by its proper officers, to execute leases for the exploration and extraction of the aforesaid minerals which may be contained upon or beneath the surface of any of said granted lands, together with the right to use so much of the surface of said lands as may be necessary therefor, and for such periods of time as may be determined by or under the legislative authority of said States.

Resolved, That a copy of this memorial be forthwith transmitted to the Presiding Officer of the United States Senate, the Speaker of the House of Representatives, the chairmen of the Senate and House Committees on Public Lands, the Secretary of the Interior, and to each Member of the Washington delegation in Congress.

Passed the senate February 1, 1915.
Passed the house February 5, 1915.

The VICE PRESIDENT presented resolutions of the Senate of the State of Missouri, which were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

MISSOURI SENATE,
Jefferson City, Mo., February 5, 1915.

Mr. PRESIDENT OF THE SENATE IN CONGRESS:

I am instructed by the Senate of Missouri to inform you that the senate has taken up and adopted the following resolution:

"Whereas the frequent floods of the Mississippi River, caused by waters from 31 States, embracing more than 41 per cent of the total area of the United States, result in great loss of human lives in portions of the States of Illinois, Tennessee, Kentucky, Mississippi, Missouri, Arkansas, and Louisiana, and large money losses, not only in such afflicted territory but in other portions of the Nation; and

"Whereas it has been declared by every member of the Engineer Corps of the United States Army who has dealt with such floods, by the Mississippi River Commission, and by other commissions appointed by Congress, that such floods can be prevented at a reasonable cost; and

"Whereas the work of such flood prevention has been going on for many years in the least economical way, and over two-thirds of its cost has been borne by the damaged sections, who can no longer cope with this giant problem without effective aid from the National Government; and

"Whereas all political parties have declared in their campaign platforms that flood control of the Mississippi River is a national duty: Therefore be it

"Resolved by the Senate of the State of Missouri, That the Congress of the United States be, and is hereby, requested to fulfill this national duty at its next session and to enact such legislation as shall provide a separate and comprehensive plan for the prevention of such floods without delay; be it further

"Resolved, That copies of this resolution be sent to the Speaker of the House of Representatives and to the President of the Senate of the Congress of the United States."

Respectfully,

W. A. NORMAN,
Secretary Missouri State Senate.

The VICE PRESIDENT presented the petition of Nathaniel Bacon, of Chicago, Ill., praying for the enactment of legislation to limit the property that any one person may acquire by gift or inheritance in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented the memorial of Wesley Salmons and sundry other citizens of New York City, N. Y., remonstrating

against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the congregation of the Evangelical Church of Peace, at Schleswig, Iowa, praying for the enactment of legislation to enable the President of the United States to lay an embargo upon all contraband of war, excepting foodstuffs alone, which was referred to the Committee on Foreign Relations.

Mr. GALLINGER. I have had a great many letters and numerous telegrams concerning an item in the Post Office appropriation bill. I ask that the telegram I send to the desk may be read.

There being no objection, the telegram was read and referred to the Committee on Post Offices and Post Roads, as follows:

[Telegram.]

PORTSMOUTH, N. H., February 11, 1915.

HON. JACOB H. GALLINGER,
Washington, D. C.:

All railway postal clerks in New Hampshire respectfully ask you to oppose the change from annual to biennial promotions for men of this service.

GEORGE W. GRAY,
President Portsmouth Branch, Railway Mail Association.

Mr. GALLINGER presented a memorial of Mount Washington Lodge, No. 276, International Association of Machinists, of Concord, N. H., remonstrating against any change being made in the present locomotive boiler inspection laws, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Merchants' Association, of Berlin, N. H., praying for the enactment of legislation to place a tax on firms conducting a mail-order business, which was referred to the Committee on Finance.

Mr. HITCHCOCK presented memorials of sundry citizens of Nebraska, remonstrating against the exclusion of certain matter from the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Nebraska, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. LEA of Tennessee presented petitions of sundry citizens of Tennessee, praying for the passage of the so-called omnibus claims bill, which were referred to the Committee on Claims.

Mr. O'GORMAN. I present certain letters and resolutions relating to the pending shipping bill, which I ask may be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

HON. JAMES A. O'GORMAN,
United States Senate, Washington, D. C.

NEW YORK, February 4, 1915.

SENATOR: We venture to express to you in this way our admiration of your action toward defeat of the so-called ship-purchase bill. Without exception, so far as we can ascertain, the exporting houses, who, of all business men, are most deeply interested in ships to carry American merchandise, are opposed to the measure proposed. Let us express the hope that you will succeed in decisively preventing such dangerous legislation.

Very respectfully,

CHINA & JAPAN TRADING CO. (LTD.),
HOWARD AYRES, Secretary.

Resolutions.

Whereas many nations are now engaged in a most disastrous war and are drawing, directly or indirectly, large supplies of arms and munitions of war from the United States of America; and

Whereas this war material obtained in the United States tends to multiply the loss of life, already appalling, and to cause an immense destruction of property, that is bringing nations to desolation and tends to prolong the war; and

Whereas we, on the one hand, from our hearts lift up our voices in prayer for peace and contribute to the relief of those who have been maimed and made destitute by the war, on the other hand are aiding in war and augmenting the struggle by sending our military stores to the battle fields of Europe; and

Whereas our Government has proclaimed strict neutrality, thus assuring the American citizens of all nationalities and the belligerent nations that our own acts shall break no bonds of friendship with the countries with whom we are at peace and create no discord among our citizens here by discriminating against their native land; and

Whereas this country has recognized the right of our Government to withhold war supplies from contending armies by laying an embargo upon munitions of war when the feeble armies of Mexico were arrayed against each other, nevertheless we now offer our limitless supplies to the belligerents of Europe; and

Whereas Great Britain has prohibited the importation of foodstuffs into Belgium, except such as are under the care of the Red Cross: Now, therefore, be it

Resolved, That we, citizens of St. Paul and Minneapolis in mass meeting assembled, hereby declare that it is the imperative duty of the Congress of the United States to pass the necessary laws forthwith that will enable the President of these United States to lay an embargo upon all contraband of war, saving and excepting foodstuffs alone, and thereby withdraw from the contending powers all aid and assistance of the Republic; be it further

Resolved, That we are in strict sympathy with the Christian endeavor of our Nation to appeal to the God of all nations that peace may come, and that we reject as hypocrisy and national sacrilege the commercial

spirit of our country that is answering our supplications for peace by sending the instruments of destruction and death to the armies of Europe; and be it further

Resolved, That we urge upon our Government that it use its good offices to induce the Government of Great Britain to permit the importation of foodstuffs from neutral countries to Belgium's starving multitudes; and be it further

Resolved, That we call upon our fellow citizens everywhere to join with us in enforcing that strict American neutrality which will be exactly impartial in the treatment of the belligerents and that will withhold American resources from promoting destruction and slaughter among the nations of Europe; and be it further

Resolved, That the chairman of this mass meeting appoint a legislative committee to promote the enactment of a law that will place all such power in the hands of the President, and that a copy of these resolutions be placed by this committee so appointed in the hands of every Congressman, Senator, and Cabinet officer of these United States.

JAS. A. PETERSON, Chairman.
H. D. FUNK, Secretary.

BROOKLYN, N. Y., January 20, 1915.

HON. JAMES A. O'GORMAN,
Washington, D. C.

DEAR SENATOR: As business men and citizens of the United States with neutral tendencies in the present European conflict, but staunch lovers of our own constitutional and international rights and of the rights of weaker countries under our protection, namely, the Monroe doctrine, both in our internal and foreign business relations.

As our representative, how long is our Government and that part of it which should demand and if necessary enforce our indisputable neutral rights (with some respect for our interpretation of what our United States rights are) in its marine ownership and all its business affairs, both foreign and internal, stand by and let a foreign country dictate to our Government how our Government should be conducted—financially, internally, and foreign?

How long is our Government to allow ships of war of foreign countries to infringe on our neutral shores and shores of weaker neutral countries, as the many incidents complained of by neutral shippers, such as Capt. Anderson, off the New Jersey coast, and the *Metophan* and *China*, whom we guaranteed to protect? How long is our Government to allow foreign naval officers to board neutral ships of countries not active in this war, and cleared to neutral countries, and confiscate material and mail to and from neutral countries and to and from the United States for American citizens and American business men? We look to you as our representative to raise your voice in protest to this inactivity on the part of our Government in not enforcing our absolute rights, and not what a foreign country thinks our rights are. We also ask you to give your support to an American merchant marine—if not by private capital, then by the United States Government—as soon as possible to aid our merchants to ship and, if necessary, with protection their goods. Our business in the country is being paralyzed for want of ships to carry our manufactured goods, products, and foodstuffs, as you know; or why the war tax, which we resent? Why not an export tax?

Awaiting your favorable reply, we are your constituents, and respectfully submit our indorsements:

William R. Keely, 1311 Kings Highway; Cornelius J. Curry, Avenue Y and East Fourteenth Street, Brooklyn; J. D. Moylan, Elm and East Seventeenth Streets; Leo M. Kennedy, 1699 Elm Avenue, Brooklyn; James J. Bunwan, 1408 Kings Highway, Brooklyn; Henry G. Gleister, 2771 East Twenty-sixth Street; John Uckerman, Sheepshead Bay, East Sixteenth Street; Alfred Zimmerman, 1713 East Fourteenth Street, Brooklyn, N. Y.; Oscar Selesca, 2728 East Twenty-third Street; G. D. Purcell, 2126 East Nineteenth Street; Wm. Huether, 1426 Kings Highway; Abraham Lerner, 1426 Kings Highway; David K. Higgins, 2618 East Twenty-sixth Street, Sheepshead Bay; Jno. J. Budas, 2651 East Fourteenth Street, Sheepshead Bay; J. W. Dickerson, 905 East Eighteenth Street; John J. Hall, 2626 East Fourteenth Street, New York; John F. McCormick, 2182 East Third Street, Brooklyn; Wm. Jeffrey, East Fourteenth Street, Sheepshead Bay; Walter H. Murphy, 2247 Homcrest Avenue; Frank Kenney, 2150 Homcrest Avenue; Patrick B. Lynch, 422 Park Place; James Thorndike, Kings Highway, Brooklyn; Timothy F. Cleary, 2183 East Thirteenth Street; John B. Bryan, 1207 Avenue V; E. J. Cleary, 2138 East Thirteenth Street; H. J. Hogan, 2138 East Thirteenth Street; Geo. A. Dreyes, 1302 Kings Highway; Gus. H. Dreyes, 1302 Kings Highway; Louis Breslow, 1306 Kings Highway, Brooklyn; Chas. M. Smeltzer, 707 Greene Avenue; J. E. Burnett, 1552 East Fourteenth Street; W. E. Downey, 2135 Homcrest Avenue; Bartley Horan, 322 Prospect Avenue; Wachkney & Co., 1501 Kings Highway; Frank A. Smith, 2163 Homcrest Avenue; George Wunch, 135 Wyckoff Avenue; J. McDonald, 107 Berkly Place; M. S. Gerhard, 112 Bridge Street; Frank Banta, 1357 Putnam Avenue; Edward Caegnt, 1819 Shore Avenue, Sheepshead Bay; H. F. Seaman, 105 Kenilworth Place; R. M. Cuthbertson, Bay View Hotel, Sheepshead Bay; Albert J. Hahn, Bay View Hotel, Sheepshead Bay; Jerome Tobin, 1247 East Fourteenth Street; John Tobin, 1247 East Fourteenth Street; Wm. J. Mulrenan, 1571 East Ninth Street; Fred Wolf, 1413 Kings Highway; F. G. Forbes, 1552 Union Street, Brooklyn; R. S. Deiskie, 604 East Seventeenth Street, Brooklyn; Conrad Gewert, 1521 East Fifteenth Street, Brooklyn; Henry A. Gould, 1656 Sheepshead Bay Road, Brooklyn, N. Y.; H. B. Flske, Jerome Avenue and East Eighteenth Street, Brooklyn, N. Y.; Dr. C. M. Taylor, Voorhees Avenue and East Eighteenth Street, Brooklyn; Theo. F. Enduss, Phar. D., Sheepshead Bay, Brooklyn; Jno. Stuart McElree, Sheepshead Bay, Brooklyn; Frank F. Lyne, M. D., Sheepshead Bay, Brooklyn; Joseph G. Furey, jr., Sheepshead Bay, Brooklyn; E. F. Huber, Ph. D., Sheepshead Bay, Brooklyn; Stephen Moylan, Sheepshead Bay, Brooklyn; James E. Conden, Sheepshead Bay, Brooklyn; Wm. Stutemauch, Phar. D., Sheepshead Bay, Brooklyn; D. J. Lyons, 2650 East Four-

teenth Street, Sheepshead Bay; Frank G. Watthus, 2700 Ocean Avenue, Sheepshead Bay; George McGrath, East Sixteenth Street Shore Road, Sheepshead Bay; R. A. Patterson, East Fourteenth Street, Sheepshead Bay; James Hunt, Avenue Z and East Twenty-sixth Street, Sheepshead Bay; Samuel Cominsky, Sheepshead Bay; Jas. H. Chisholm, 1710 Emmons Avenue, Sheepshead Bay; J. H. McAvoy, 1610 Shore Road, Sheepshead Bay; Edmund F. McDonald, 1609 Shore Road, Brooklyn; Clement Athanasakos, 1610 Shore Road, Brooklyn; Robert G. Cornell, Shore Road and Avenue Y; Harry Ragan, 102 Rockaway Avenue; George Brooklyn, 1635 Shore Road; Joseph Gaertner, 1635 Shore Road, Brooklyn; F. T. Le Berthon, 2665 East Fifteenth Street, Brooklyn; Henry L. Medosch, 1430 East Twelfth Street, Brooklyn; Frank Schafer, 1615 Avenue Z; R. R. Kime, 2643 East Nineteenth Street; John J. Healy, Surf Avenue, corner West Twentieth Street, Coney Island; Myles A. Walsh; J. F. Shaughnessy, 2610 East Fourteenth Street, Brooklyn; H. Fredk. Lehr, 3085 Emmons Avenue, Sheepshead Bay; Charles Froch, Emmons Avenue and East Twenty-eighth Street; A. R. Gewert, Emmons Avenue and Shore Road, Sheepshead Bay, N. Y.; Terry Higgins, Shore Road, Sheepshead Bay; Karl Schubert, Sheepshead Bay; Otto Young, 2121 Emmons Avenue, Sheepshead Bay.

Mr. POMERENE presented petitions of sundry citizens of Waterville, Youngstown, Carroll, Hamilton, and Akron, all in the State of Ohio, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented the petition of Otto Weltzer and 14 other citizens of Cleveland, Ohio, praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. JAMES. I have a telegram from the president of the Louisville Branch of the Railway Mail Association, which I ask may be read and referred to the Committee on Post Offices and Post Roads.

There being no objection, the telegram was read and referred to the Committee on Post Offices and Post Roads, as follows:

LOUISVILLE, KY., February 10, 1915.

HON. O. M. JAMES, Washington, D. C.:

Two hundred railway postal clerks of Louisville respectfully ask you to oppose the change from annual to biennial promotions for the men of this service.

JOHN M. COOMBS,
President Louisville Branch Railway Mail Association.

Mr. SUTHERLAND presented a petition of sundry citizens of Salt Lake City, Utah, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. BURTON presented memorials of sundry citizens of Ohio, remonstrating against the enactment of legislation to prohibit the sale of liquor in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Ohio, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Ohio, praying for the enactment of legislation for the purpose of taxing those engaged in the mail-order business, which were referred to the Committee on Finance.

Mr. NELSON. I present a joint resolution of the Legislature of Minnesota, which I ask may be printed in the RECORD and referred to the Committee on Foreign Relations.

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

Mr. Bendixen offers the following resolution:

"Whereas it has been proposed and is being urged from various sources that the Congress of the United States place an embargo on the exportation of agricultural products; and
"Whereas this is not being urged on the ground of any shortage or prospective shortage of such products, but on the ground that prices have recently advanced somewhat, especially on cereal products; and
"Whereas such embargo would be unjust and unfair to the agricultural interests of this State, in that it would deprive such interests of the advantages and benefits derived from the demand from foreign nations for these products; and
"Whereas the agricultural interests of this Nation by Federal legislation have been placed in direct competition with the same interests of other nations, they are justly entitled to all the advantages of an open world market; and
"Whereas the State of Minnesota is preeminently an agricultural State and would suffer greatly from such embargo, and all its business interests would be seriously affected by the injury that would logically and necessarily follow such embargo; Therefore be it
"Resolved, That the Minnesota House of Representatives, the senate concurring, earnestly and emphatically request the Representatives in Congress and United States Senators from this State to use their influence and vote to defeat any measure proposing such embargo; and be it further
"Resolved, That the chief clerk of the house and the secretary of the senate be, and hereby are, instructed to forward a copy of these resolutions to each of the Representatives in Congress and each Senator from this State."

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of Local Branch, Brotherhood of Boiler Makers, of St. Paul, Minn., remonstrating against any change in the present locomotive boiler inspection laws, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Local Branch, Minnesota Dairymen's Association, of Nicollet, Minn., remonstrating against any change in the present oleomargarine law, which was referred to the Committee on Finance.

Mr. KENYON. I present a concurrent resolution adopted by the Legislature of Iowa, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

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

Concurrent resolution memorializing Congress to investigate the origin of foot-and-mouth disease.

Whereas the recent outbreak of foot-and-mouth disease has occasioned to the citizens of this State loss aggregating many thousands of dollars; and

Whereas it is believed to have been transmitted to the live stock in this State through the Union Stock Yards, in Chicago, Ill.: Now, therefore,

Be it resolved by the senate (the house concurring), That the Congress of the United States be, and it is hereby, memorialized and requested to institute an investigation of the Union Stock Yards, of Chicago, Ill., with the view of determining—

First. The origin of the said disease known as foot-and-mouth disease;

Second. The methods employed in disposing of stock found in said yards to be infected therewith;

Third. As to whether or not there is segregation of the diseased animals and whether or not the same are separated from those not infected with such disease;

Fourth. As to the relative cost to the consumer of feed furnished or other services rendered to the patrons of said yards; and

Fifth. That the said Congress take such action as may, in its judgment, be deemed necessary to prevent a recurrence of such outbreak of said disease.

Be it further resolved, That the Iowa Senators and Iowa Members of Congress be requested to support measures looking toward such investigation and favor legislation that may be designed to remedy such evil.

Be it further resolved, That copy of this resolution be transmitted to each Iowa Senator and each Iowa Member of Congress, and that a copy of the same be transmitted to His Excellency Woodrow Wilson, President of the United States.

W. L. HARDING,
President of the Senate.
W. I. ATKINSON,
Speaker of the House.

I hereby certify that this concurrent resolution originated in the senate.

THOMAS WATERS, Jr.,
Secretary of the Senate.

Introduced and adopted by the senate January 30, 1915.
House concurred February 2, 1915.

Mr. GRONNA. I present a telegram from the secretary of the Farmers and Grain Dealers' Association of North Dakota. It is very brief, and I ask that it may be printed in the RECORD and referred to the Committee on Foreign Relations.

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

[Telegram.]

SHERWOOD, N. DAK., February 3, 1915.

Senator GRONNA, Washington, D. C.:

Our association protests on any embargo on exports of farm products, especially grain.

A. A. LANE,
Secretary Farmers and Grain Dealers' Association
of North Dakota.

Mr. NORRIS. I present a resolution adopted by the House of Representatives of the State of Nebraska, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the resolution was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

Resolution on Irrigation.

Whereas a controversy has arisen between the citizens of Colorado, Wyoming, and also the Reclamation Service of the United States, and the citizens of Nebraska, with reference to the control of the waters in the interstate streams; and

Whereas the State of Colorado is claiming to own and control all of the waters of the Republican and Platte Rivers that head in Colorado and pass through the State of Nebraska, and is depriving the citizens of Nebraska of their just rights to the use of the water for irrigation and other purposes in Nebraska, and subsequent appropriators of waters in Colorado have made the South Platte River dry and deprived the Nebraska citizens of the use of its waters; and

Whereas there is a suit pending in the Federal court between the citizens of Nebraska and the State of Colorado over the rights of Nebraska citizens on the Republican River, and there is also pending in the Federal courts a suit involving the rights of Colorado to take the waters of the North Platte River which head in Colorado; and

Whereas the State of Nebraska ought to protect the rights of its citizens to the waters of the river in Nebraska as against the Federal Government and against the States of Colorado and Wyoming: Therefore be it

Resolved by the House of Representatives of the State of Nebraska in session assembled, That the attorney general of the State of Nebraska is hereby requested and directed to bring an action in Federal court against the State of Colorado and its officials to protect the rights of the Nebraska citizens on the South Platte River. He is further requested and directed to intervene on behalf of the State of Nebraska in the suits pending in the Federal court involving the rights of the State of Nebraska and its people in the waters of the Republican and North Platte Rivers; and be it further

Resolved, That the attorney general of the State of Nebraska is hereby requested and directed to protect in the courts the rights of citizens of the State of Nebraska to the waters of the Pathfinder Reservoir on the North Platte River; and be it further

Resolved, That in order to accomplish this need the Federal Congress be, and it is hereby, urged and requested to pass Senate joint resolution No. 180, introduced by Senator NORRIS, of Nebraska, conferring upon the State of Nebraska the right to bring an action in the court against the Federal Reclamation Service in order to have adjudicated in the courts the rights of the citizens of the State of Nebraska to the surplus waters of the Pathfinder Reservoir; be it further

Resolved, That copies of this resolution be forwarded to Senators NORRIS and HITCHCOCK and to the Congressmen from Nebraska, and that copies of this resolution be also forwarded to the United States Senate and the Federal Congress.

(Signed)

A. LA BOUNTY.
W. L. BATES.
W. H. C. WOODHURST.
SCOTT REYNOLDS.
F. E. STEARNS.
W. M. STEBBINS.
M. A. HOSTETTER.
J. E. HARRIS.
SAMUEL M. PATTERSON.

The above and foregoing resolution was duly passed by the house of representatives this 3d day of February, 1915.

G. W. POTTS, Chief Clerk.

Mr. PENROSE presented petitions of sundry citizens of Ephrata, Pa., praying for the continuance of free rural delivery, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Philadelphia, Pa., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. POINDEXTER. I present a memorial of the Legislature of the State of Washington, requesting legislation permitting that State to lease coal lands granted to the State by the United States on terms to be fixed by the legislature of the State. I ask that the memorial may be printed in the RECORD and referred to the Committee on Public Lands.

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

Senate joint memorial No. 5.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, do most respectfully represent and petition:

Whereas in order to secure the exploration and development of coal and oil resources it is necessary that leases be executed by the State of Washington granting authority to its lessees to explore such coal and oil resources and to extract the same from its lands, and to use so much of the surface as may be necessary therefor, upon the payment of a proper rental or royalty; and

Whereas by the terms of the act of Congress approved February 22, 1889, providing for the formation of constitutions and State governments for the States of North Dakota, South Dakota, Montana, and Washington, and the admission thereof into the Union, and making donations of public lands to such States, it was provided that the lands so donated and granted may be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company: Now, therefore, be it

Resolved, That the Senate and House of Representatives of the State of Washington do request the Congress of the United States to so amend the aforesaid act of February 22, 1889, as to permit the said several States, including the State of Washington, by its proper officers, to execute leases for the exploration and extraction of the aforesaid minerals which may be contained upon or beneath the surface of any of said granted lands, together with the right to use so much of the surface of said lands as may be necessary therefor, and for such periods of time as may be determined by or under the legislative authority of said States;

Resolved, That a copy of this memorial be forthwith transmitted to the presiding officer of the United States Senate, the Speaker of the House of Representatives, the chairmen of the Senate and House Committees on Public Lands, the Secretary of the Interior, and to each Member of the Washington delegation in Congress.

Passed the senate February 1, 1915.

Passed the house February 5, 1915.

Mr. BRISTOW presented petitions of sundry citizens of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of Kansas, remonstrating against the curtailing of the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Kansas City, Kans., praying for the enactment of legislation to grant pensions to civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of sundry citizens of Coffeyville, Kans., remonstrating against any change in the present locomotive boiler-inspection laws, which was referred to the Committee on Interstate Commerce.

Mr. MYERS presented petitions of sundry citizens of Montana, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. WEEKS presented a petition of the City Council of Salem, Mass., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented petitions of sundry citizens of Holyoke, Boston, Everett, Medford, and Cambridge, all in the State of Massachusetts, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Arlington Heights, Holyoke, and North Andover, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a petition of sundry citizens of South Norwalk, Conn., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. PITTMAN presented a petition of sundry citizens of Gardnerville, Nev., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. CHAMBERLAIN presented a memorial of sundry citizens of Oregon, remonstrating against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Oregon, praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. NEWLANDS presented petitions of sundry citizens of Nevada, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. WARREN presented a petition of the German Evangelical congregation of St. Paul's Church, of Laramie, Wyo., and a petition of the Ladies' Aid Society of the German Church, of Laramie, Wyo., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 969) accompanied by a bill (S. 7597) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 1003. William E. McGee.
S. 2378. Charles F. White.
S. 3423. Warren W. Norton.
S. 5742. Daniel Howery.
S. 5840. William H. Hart.
S. 6029. William M. Miller.
S. 6131. Alpheus W. Clark.
S. 6141. Charles R. Conger.
S. 6242. Fred F. Harris.
S. 6632. Benjamin Matlock.
S. 6673. John B. Turner.
S. 6891. Jeremiah C. Foley.
S. 7007. Joseph L. Addison.
S. 7068. Bernard Christianson.
S. 7169. Lee Jenkins.
S. 7251. Katharine H. McDonald.
S. 7324. John H. Hopewell.
S. 7489. William Bowen.
S. 7497. Todd L. Wagoner.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 970) accompanied by a bill (S. 7598) granting pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 935. Nancy M. Vinton.
S. 995. Edward W. Anderson.

S. 1201. Josephus Steller.
 S. 1532. James J. Boothe.
 S. 1668. Effie M. Bing.
 S. 2371. Porter E. Nash.
 S. 2605. Laura Garriett.
 S. 3516. Irvin M. Hill.
 S. 3606. Laura M. Goodwine.
 S. 3829. Mary J. White.
 S. 4018. John L. Russell.
 S. 4344. Sarah A. Ferguson.
 S. 4431. Isabelle E. Jones.
 S. 4585. Mary A. Conway.
 S. 4684. Georgianna Thomas.
 S. 5019. William C. Pope.
 S. 5230. Sarah J. Deloe.
 S. 5391. Jesse Franklin Cochran.
 S. 5421. Mary A. Flynn.
 S. 5516. Leona B. Hauke.
 S. 5692. Mary B. Jenks.
 S. 5771. Mary A. Harrington.
 S. 5779. Amelia M. Payson.
 S. 5786. Ida Ingraham.
 S. 5803. Amos T. Phares.
 S. 6019. Louis M. Lea.
 S. 6062. Johnson G. Trask.
 S. 6080. William H. Langdon.
 S. 6099. Catherine Curry.
 S. 6133. David Delehanty.
 S. 6232. James H. Clark.
 S. 6234. John F. Thomas.
 S. 6236. Joseph C. Townsend.
 S. 6277. Rhoda C. Freeman.
 S. 6423. Archie C. Fisk.
 S. 6511. George W. Killin.
 S. 6530. Mack Carr.
 S. 6578. Henry Reed.
 S. 6656. Mary A. Richards.
 S. 6810. William D. Bonar.
 S. 6843. Rosalie A. Partridge.
 S. 6876. Andrew C. McCorkle.
 S. 7000. Eli Samson.
 S. 7143. Thomas J. Gwin.
 S. 7152. Sarah McDowell.
 S. 7156. Sadie Hatch.
 S. 7173. Miles Matthews.
 S. 7183. Thomas Clark.
 S. 7192. Margaret J. Howell.
 S. 7208. John Jones.
 S. 7231. Samantha M. Hudson.
 S. 7283. George T. Moulton.
 S. 7294. Joseph Lieber.
 S. 7313. James Gorman.
 S. 7314. William A. N. Clare.
 S. 7321. Clara McGaughey.
 S. 7322. Edward H. Baldwin.
 S. 7340. John J. White.
 S. 7343. John R. Lindaberry.
 S. 7356. Samuel J. Bingham.
 S. 7357. Peter S. McIntosh.
 S. 7358. James H. Gallup.
 S. 7363. Arthur Mahar.
 S. 7420. Ziba Fry.
 S. 7421. Charles C. Moulton.
 S. 7422. Parson B. Mix.
 S. 7429. Mabel Turton.
 S. 7437. William Dougherty.
 S. 7438. Alonzo Cole.
 S. 7441. George W. Vogel.
 S. 7442. Joseph A. Fisher.
 S. 7446. Edwin W. Moody.
 S. 7458. Mary L. Lowe.
 S. 7467. Lydia A. Brockway.
 S. 7475. Elisha Thomas.
 S. 7476. James B. Kitts.
 S. 7482. James M. Palmer.
 S. 7484. Jackson Smith.
 S. 7485. Job Ingram.
 S. 7486. Alice C. Cox.
 S. 7490. John Jenkins.
 S. 7494. Charles Woodward.
 S. 7501. Hattie E. Lawton.
 S. 7502. John L. Epperson.
 S. 7503. William D. Eudy.
 S. 7505. Annia Clark.
 S. 7506. Mary L. Taylor.

S. 7516. John Lampke.
 S. 7517. Herbert A. Oliver.
 S. 7539. Henry C. Jordan.
 S. 7540. Hazlett A. Jacobs.
 S. 7541. Elias Lloyd.
 S. 7549. John E. Graham.
 S. 7561. John McEathron.
 S. 7568. Gilbert W. Potter.
 S. 7570. Sumner P. Boies.
 S. 7571. Joann P. Libby.
 S. 7573. Anna Trickey.
 S. 7574. Mary E. Walker.
 S. 7591. Henrietta C. Stanton.

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (H. R. 20643) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 971) thereon.

Mr. CHAMBERLAIN. I am directed by the Committee on Military Affairs, to which was referred the bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916, to report it with amendments, and I submit a report (No. 972) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. DU PONT. I am directed by the Committee on Military Affairs, to which was referred the bill (H. R. 16713) for the relief of Samson Davis, to submit an adverse report (No. 976) thereon, and I ask that the bill be postponed indefinitely.

The VICE PRESIDENT. The bill will be postponed indefinitely.

Mr. MYERS, from the Committee on Public Lands, to which was referred the joint resolution (S. J. Res. 3) for the relief of Fred White, reported it without amendment and submitted a report (No. 975) thereon.

Mr. SHIELDS, from the Committee on the Judiciary, to which was referred the bill (H. R. 5850) to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, reported it without amendment and submitted a report (No. 973) thereon.

Mr. CHILTON, from the Committee on the Judiciary, to which was referred the bill (H. R. 17097) to fix the salary of the auditor of the Supreme Court of the District of Columbia, and for other purposes, reported it without amendment and submitted a report (No. 974) thereon.

Mr. KERN. From the Committee on Privileges and Elections I report back favorably with amendments Senate resolution 455, providing for an investigation relating to the nomination and election of United States Senators in the States of Pennsylvania and Illinois, and I submit a report (No. 979) thereon. I ask that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The resolution will be referred to the Committee on Contingent Expenses.

PUBLIC BUILDING AT ST. PETERSBURG, FLA.

Mr. CULBERSON. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 18783) to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla., and I submit a report (No. 977) thereon. I call the attention of the junior Senator from Florida to the report.

Mr. BRYAN. Mr. President—

The VICE PRESIDENT. The Senator from Florida.

Mr. BRYAN. This bill was prepared and presented by the department. The department has asked authority to increase the limit of cost by \$35,000. I ask unanimous consent for the present consideration of the bill.

Mr. SMOOT. Mr. President, I think I shall not object to the consideration of the bill; but I simply want to say to the Senate that I think there ought to be a time set apart, and that early, to take up the calendar to consider bills to which there is no objection. There are about 200 of them on the calendar, and I think an early date ought to be set aside by the Senate to take them up for consideration.

Mr. FLETCHER. I think that is quite correct, Mr. President, and it ought to be done. This is a House bill, I will say.

Mr. SMOOT. I will say to the Senator, that being an emergency measure, I shall not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

SUWANEE RIVER BRIDGE, FLORIDA.

Mr. SHEPPARD. From the Committee on Commerce, I report back favorably without amendment the bill (S. 7555) to authorize the construction of a bridge across the Suwanee River, in the State of Florida, and I submit a report (No. 978) thereon. I call the attention of the senior Senator from Florida [Mr. FLETCHER] to the report.

Mr. FLETCHER. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Senator from Florida asks unanimous consent for the present consideration of the bill. Is there objection? The Chair hears none.

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

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

PUBLIC BUILDING AT JERSEY CITY, N. J.

Mr. MARTINE of New Jersey. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 9584) to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J., and I respectfully ask unanimous consent for its immediate consideration. I will say that it is quite necessary that action should be taken as promptly as possible, that the proper length of time for advertisement may be given in order to seek purchasers for the site.

Mr. SMOOT. If this is an emergency measure, I shall not object.

Mr. MARTINE of New Jersey. Does the Senator from Utah object?

Mr. SMOOT. No; not if it is an emergency matter.

Mr. MARTINE of New Jersey. It is an emergency matter. It is of prime necessity now—

The VICE PRESIDENT. There is no objection.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes upon the completion of the new Federal building at Jersey City, N. J., and its occupancy by the United States, to authorize the Secretary of the Treasury, in his discretion, to offer at public sale, after proper advertisement, the present old post office and site and to sell the same to the highest and best bidder, to execute a quitclaim deed to the purchaser thereof, and to deposit the proceeds of said sale in the Treasury of the United States as a miscellaneous receipt, and that the property shall not be sold for less than the sum of \$25,000.

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

SALE OF SEALSKINS.

Mr. THORNTON. On behalf of the Committee on Fisheries I desire to report back favorably and without amendment the joint resolution (H. J. Res. 391) authorizing the Secretary of Commerce to postpone the sale of fur-seal skins now in the possession of the Government until such time as, in his discretion, he may deem such sale advisable; and I ask unanimous consent for its present consideration, as it is an emergency measure. I desire to state, for the benefit of any Senator who might otherwise object, that it is identical with Senate joint resolution 214, which was passed on December 21 last.

Mr. SMOOT. What is the object of the joint resolution?

Mr. THORNTON. The object of it is to allow the Secretary of Commerce to defer the annual sale of sealskins, because if it should be made at this time it would result in considerable loss of revenue to the Government, on account of the exigencies arising from the European war.

Mr. SMOOT. I think the bill ought to go to the calendar, and I object.

The VICE PRESIDENT. Objection being made, the bill will be placed on the calendar.

BOY SCOUTS OF AMERICA.

Mr. SHIELDS. Mr. President—

The VICE PRESIDENT. The Senator from Tennessee.

Mr. SHIELDS. I ask unanimous consent to take from the calendar for consideration Senate bill 6854, to incorporate the Boy Scouts of America, and for other purposes.

Mr. SMOOT. I object, Mr. President. It is 4 minutes of 2 o'clock now, and the morning business has not been completed.

The VICE PRESIDENT. Objection is made.

Mr. SHIELDS. Mr. President, this bill being one for benevolent purposes, and the incorporators being now in session in the

city of Washington, I move that the Senate take up the bill and consider it, in order that they may be organized and proceed immediately with their benevolent work.

The VICE PRESIDENT. Morning business is not closed.

Mr. ROOT. Regular order!

Mr. PENROSE. Regular order!

The VICE PRESIDENT. The motion is not in order, as morning business is not closed. Bills and joint resolutions are next in order.

BILLS INTRODUCED.

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

By Mr. GORE:

A bill (S. 7600) to further regulate foreign commerce; to the Committee on Interstate Commerce.

By Mr. SHIELDS:

A bill (S. 7601) to appropriate \$500,000 to aid the Andrew Jackson Memorial Association in the erection of a monument at Nashville, Tenn., to commemorate the life, character, and services of Andrew Jackson; to the Committee on the Library.

By Mr. ROOT:

A bill (S. 7602) to authorize the Secretary of War to grant a revocable license for the erection of a Catholic chapel on the military reservation at Governors Island, New York Harbor; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 7603) to amend that portion of the act approved August 30, 1890, relating to the limitation of acreage to be acquired under the public-land laws; to the Committee on Public Lands.

A bill (S. 7604) granting a pension to Joseph W. Hicks (with accompanying papers); to the Committee on Pensions.

By Mr. CATRON:

A bill (S. 7605) for the relief of the heirs of Francisco Armijo y Otero; to the Committee on Claims.

A bill (S. 7606) granting an increase of pension to Juan Jose Salz; to the Committee on Pensions.

By Mr. LEA of Tennessee:

A bill (S. 7607) for the relief of the legal representatives of William H. Fuqua, deceased; to the Committee on Claims.

By Mr. MYERS:

A bill (S. 7608) granting a pension to Fred Burnstead; to the Committee on Pensions.

By Mr. PENROSE:

(By request) A bill (S. 7609) to provide for publishing the name and general description of aliens who file petitions for naturalization, providing for filing fees and cost of advertising; to the Committee on Immigration.

A bill (S. 7610) granting an increase of pension to Birney Marshman (with accompanying papers);

A bill (S. 7611) granting an increase of pension to Thomas B. Landis;

A bill (S. 7612) granting a pension to George W. Johnson;

A bill (S. 7613) granting a pension to Sarah Ann Ross;

A bill (S. 7614) granting a pension to Elizabeth Metz; and

A bill (S. 7615) granting an increase of pension to Hannah R. Linton; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 7616) granting an increase of pension to Mary A. Snider (with accompanying papers); to the Committee on Pensions.

By Mr. LEWIS:

A bill (S. 7617) in relation to the location of a navigable channel of the Calumet River in Illinois; to the Committee on Commerce.

A bill (S. 7618) granting an increase of pension to Andrew J. Vancil;

A bill (S. 7619) granting an increase of pension to Charles W. Lair;

A bill (S. 7620) granting an increase of pension to William M. Hampton;

A bill (S. 7621) granting an increase of pension to Joshua C. Clevenger;

A bill (S. 7622) granting a pension to Katherine Sternberg;

A bill (S. 7623) granting an increase of pension to Daniel Hinkle; and

A bill (S. 7624) granting an increase of pension to Mary Tilton Seay; to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 7625) for the relief of E. A. Rolfe and others; to the Committee on Public Lands.

By Mr. OLIVER:

A bill (S. 7626) granting an increase of pension to William P. McCartney (with accompanying papers); and

A bill (S. 7627) granting an increase of pension to William Wright (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 7628) granting an increase of pension to Carrie M. Pierce (with accompanying papers); to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 7629) granting a pension to Thomas H. Jones; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7630) granting an increase of pension to Joseph L. Clark; to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 7631) granting an increase of pension to Katharine H. McDonald; to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 7632) to provide American register for the steamer *Minnesota* upon certain conditions; to the Committee on Commerce.

By Mr. WHITE:

A bill (S. 7633) for the relief of Bella Crounse and other heirs of the estate of James Bell, deceased; to the Committee on Revolutionary Claims.

By Mr. DILLINGHAM:

A bill (S. 7634) granting an increase of pension to Susie S. Flanders (with accompanying papers); to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 7635) granting a pension to John C. Rowland; to the Committee on Pensions.

THE PANAMA CANAL.

Mr. POINDEXTER. I introduce a bill, and ask that it be printed in the *RECORD* and referred to the Committee on Inter-oceanic Canals.

The bill (S. 7599) providing free passage through the Panama Canal for American ships was read twice by its title, referred to the Committee on Inter-oceanic Canals, and ordered to be printed in the *RECORD*, as follows:

Be it enacted, etc., That every ship flying the American flag and entitled to American registry, whether engaged in domestic or foreign commerce, shall be entitled at all times to free passage through the Panama Canal. All acts and parts of acts in conflict with this act are hereby repealed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CHAMBERLAIN submitted an amendment proposing to appropriate \$50,000 for the completion of the post-office building at Portland, Oreg., etc., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate \$5,000 to be used in cooperative work in the State of Oregon in connection with the destruction of jack rabbits, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. PENROSE submitted an amendment relative to the granting of indefinite leave of absence to employees in the Postal Service who have served for a period of 25 years, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. JONES submitted an amendment proposing to increase the appropriation for the construction, repair, and maintenance of mail roads in the Territory of Alaska from \$125,000 to \$200,000, intended to be proposed by him to the Army appropriation bill (H. R. 20347), which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. BURTON submitted an amendment proposing to appropriate \$800 for the installation of mail chutes in the public building at Cleveland, Ohio, intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SMOOT submitted an amendment authorizing the Secretary of the Senate to pay officers and employees of the Senate borne on the roll known as the soldiers' roll, etc., a sum sufficient to make their compensation at the rate of \$1,440 each per annum, etc., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate \$3,000 for the erection of a Navajo national monument in the State of Arizona, etc., intended to be proposed by him to the

sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. GRONNA submitted an amendment proposing to appropriate \$10,000 for the improvement of the game preserve in Sullys Hill National Park, in the State of North Dakota, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to increase the appropriation for the control of diseases of forest and ornamental trees and shrubs, etc., from \$47,350 to \$69,510, intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Agriculture and Forestry.

Mr. KENYON submitted an amendment proposing to appropriate \$6,000 to enable the Department of Labor to make an investigation as to the cost of living of wage earners in the District of Columbia exclusive of Government employees, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was ordered to lie on the table and to be printed.

Mr. REED submitted an amendment proposing to increase the salary of the Assistant Sergeant at Arms of the United States Senate from \$2,500 per annum to \$3,500, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was ordered to lie on the table and to be printed.

Mr. PERKINS submitted an amendment proposing to appropriate \$9,000 to provide a harbor boat for the Revenue-Cutter Service to replace the *Hartley* at San Francisco, Cal., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. ASHURST submitted an amendment proposing to appropriate \$3,000 to be expended in the erection of a headquarters building at the Grand Canyon National Monument, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. STERLING submitted an amendment authorizing the Commissioner of Indian Affairs to investigate claims and negotiate agreements with any tribe or bands of Indians for the final adjudication and settlement of claims and payments of such tribes or bands against the United States, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. BORAH submitted an amendment providing that no part of the appropriations made in the Post Office appropriation bill shall be available for the salary or pay of any official, superintendent, foreman, or other person having charge of the work of any employee of the Postal Service who makes or causes to be made with a stop watch or other time-measuring device for the study of the movements of any such employees, intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

DEVELOPMENT OF WATER POWER.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (H. R. 16673) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, which was ordered to lie on the table and to be printed.

STOCK-RAISING HOMESTEADS.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (H. R. 15799) to provide for stock-raising homesteads, and for other purposes, which was ordered to lie on the table and to be printed.

OIL AND GAS LANDS.

Mr. STERLING submitted an amendment intended to be proposed by him to the bill (H. R. 16136) to authorize exploration for and disposition of coal, phosphate, oil, gas, potassium, or sodium, which was referred to the Committee on Public Lands and ordered to be printed.

THE MERCHANT MARINE.

Mr. POINDEXTER. I submit an amendment in the nature of a substitute to the pending shipping bill (S. 6856), which I ask may be read.

The Secretary read as follows:

Strike out all after the enacting clause and insert:

"Section 1. The President is authorized and directed to expend a sum not exceeding \$50,000,000 for the construction of ships in American

shipyards, preference being given to navy yards, and to operate said ships on such lines of trade, coastwise or foreign, as he may select, under such terms and regulations as he may determine: *Provided*, That such ships shall be constructed, as far as practicable, so as to be adapted for service both as naval auxiliaries and as merchant ships.

"Sec. 2. The President may sell the bonds of the United States authorized for the construction of the Panama Canal, not to exceed the amount of \$50,000,000, for the purposes of this act."

The VICE PRESIDENT. The amendment will lie on the table and be printed.

DISTRICT EXCISE BOARD.

Mr. SAULSBURY. Mr. President—

The VICE PRESIDENT. The Senator from Delaware.

Mr. SAULSBURY. Mr. President, I ask to be excused from service on the special committee to investigate excise conditions in the District of Columbia.

The VICE PRESIDENT. Is the request of the Senator from Delaware granted? The Chair hears no objection, and the Senator is excused.

Now, the Chair asks the Senate that the Chair be relieved from further duty in filling vacancies in the committee. Is there any objection? The Chair hears none, and the Chair is relieved from further obligation—

Mr. SHEPPARD. I object.

The VICE PRESIDENT. There is objection. The Chair will request the Senator from Texas to find some Senator who will serve on the committee.

Mr. SHEPPARD. I shall endeavor to do so, Mr. President.

The VICE PRESIDENT. The Chair will appoint any Senator the Senator from Texas can get to serve.

AMENDMENT OF THE RULES.

Mr. GORE. Mr. President—

The VICE PRESIDENT. The Senator from Oklahoma.

Mr. GORE. I desire to give notice of an amendment of and proposed change in the standing rules of the Senate.

The VICE PRESIDENT. The Secretary will read the notice to the Senate.

The Secretary read as follows:

Mr. GORE gives notice, under Senate Rule XL, of his intention to offer an amendment to the standing rules of the Senate, as follows, to wit: Amend Rule V by adding the following language:

"Whenever a quorum fails to vote on any question, and a quorum is not present and objection is made for that cause, unless the Senate shall adjourn, there shall be a call of the Senate, and the Sergeant at Arms shall forthwith proceed to bring in absent Members, and the yeas and nays on the pending question shall at the same time be considered as ordered. The Secretary shall call the roll, and each Member as he answers to his name may vote on the pending question; and, after the roll call is completed, each Member arrested shall be brought by the Sergeant at Arms before the Senate, whereupon he shall be noted as present, discharged from arrest, and given an opportunity to vote, and his vote shall be recorded. If those voting on the question and those who are present and decline to vote shall, together, make a majority of the Senate, the Presiding Officer shall declare that a quorum is constituted and the pending question shall be decided as the majority of those voting shall appear. And thereupon further proceedings under the call shall be considered as dispensed with. At any time after the roll call has been completed, the Presiding Officer may entertain a motion to adjourn, if seconded by a majority of those present, to be ascertained by actual count by the Presiding Officer; and if the Senate adjourns, all proceedings under this section shall be vacated."

The VICE PRESIDENT. The notice will go over.

PROPOSED INTERNATIONAL PEACE CONFERENCE.

Mr. LA FOLLETTE. Mr. President, I desire to give notice that on to-morrow, February 12, after the routine business of the Senate, if we have a morning hour, and if not, as soon after 1 o'clock as I can secure recognition, I shall address the Senate briefly on Senate joint resolution 234, authorizing the President of the United States to convey to all neutral nations the desire of the Government for an international conference for the purpose of promoting by cooperation and through its friendly offices the early cessation of hostilities and the establishment of peace among the warring nations of Europe, and for other purposes.

THE MERCHANT MARINE.

Mr. GALLINGER. Mr. President, I desire to give notice that on Wednesday next, February 17, 1915, after the transaction of the routine morning business, if we have a morning hour, I shall, if opportunity offers, address the Senate on some practical questions relating to the American merchant marine and the shipping industry of the United States. I might add that this will be a discussion of the issue that is now before the Senate.

HEARINGS BEFORE COMMITTEE ON AGRICULTURE.

Mr. GORE submitted the following resolution (S. Res. 539), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be authorized during the Sixty-third Congress to employ a stenographer, at a price not to exceed \$1 per printed page, to report such hearings as may be had or may have been had in con-

nection with any subject which may be pending before the said committee; and the expense thereof shall be paid out of the contingent fund of the Senate.

NEW YORK STATE BAR ASSOCIATION (S. DOC. NO. 941).

Mr. O'GORMAN. I have a copy of the report of the committee on duty of courts to refuse to execute statutes in contravention of the fundamental law presented at the thirty-eighth annual meeting of the New York State Bar Association held at the city of Buffalo on the 22d and 23d of January, 1915. I ask that it may be printed as a Senate document.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

COL. RICHARD H. WILSON.

The bill (H. R. 16896) for the relief of Col. Richard H. Wilson, United States Army, was read twice by its title.

Mr. POINDEXTER. Mr. President, this bill is identical with Senate bill 662, a copy of which I hold in my hand, and which passed the Senate on July 10, 1913. I ask unanimous consent that the House bill may be substituted for the Senate bill, and that it may be considered at this time.

Mr. GALLINGER. Mr. President, I will ask the Senator from Washington a question. I suppose the Senate bill is in the custody of the House of Representatives, and therefore the House bill can not well be substituted for the Senate bill. The Senator can ask unanimous consent for the consideration of this bill. Does the Senator know why the House laid aside a Senate bill and passed a bill of its own covering the same matter?

Mr. POINDEXTER. I do not know. I have copies of both bills here.

Mr. GALLINGER. The Senator can ask unanimous consent for the present consideration of the House bill.

Mr. POINDEXTER. Very well. Mr. President, I ask unanimous consent for the present consideration of House bill 16896, for the relief of Col. Richard H. Wilson, United States Army.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the accounting officers of the Treasury are hereby authorized and directed to credit to the accounts of Capt. Charles W. Castle, paymaster, the sum of \$7,181.64, and that Col. Richard H. Wilson, Fourteenth Infantry, United States Army, be, and he is hereby, exonerated from all responsibility for the loss of the said sum at Fort William Henry Harrison, Mont., on or about May 16, 1912.

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

S. W. LANGHORNE.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2334) for the relief of S. W. Langhorne and the legal representatives of H. S. Howell, which was, in lines 12 and 13, to strike out "1900" and insert "1890."

Mr. WALSH. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

HOUSE BILLS REFERRED.

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

H. R. 7043. An act for the relief of Nabor and Victoria Leon;
H. R. 15666. An act for the relief of John A. Ryan;
H. R. 15934. An act for the relief of Mrs. Joseph Cameron;
H. R. 16594. An act for the relief of Eva G. Bond and Daisy E. Jackson, sole heirs of the late Warren F. Jackson;
H. R. 16650. An act for the relief of Thomas P. Darr;
H. R. 16777. An act for the relief of Amato Castellano, Libero Baranello, and Michele Baranello;
H. R. 15168. An act for the relief of Lyman D. Drake, jr.;
H. R. 17122. An act for the relief of John Burrows;
H. R. 17174. An act to pay the claim of the American Towing & Lightering Co. for damages to its tug *Buccaneer*;
H. R. 17343. An act for the relief of Charles L. Pritchard;
H. R. 18197. An act for the relief of Arthur W. Fowler;
H. R. 20439. An act for the relief of the heirs of the late Frank Henry Rogers;
H. R. 20800. An act for the relief of Charlotte M. Johnston; and

H. R. 21077. An act for the relief of W. F. Crawford.

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

H. R. 11927. An act for the relief of Matthew McDonald;
H. R. 13373. An act for the relief of Charles V. Wells;
H. R. 13756. An act for the relief of Augustus Dudley Hubbell;

H. R. 12369. An act for the relief of John Healy;
H. R. 12075. An act to correct the military record of A. W. Sudduth;
H. R. 11839. An act for the relief of William Ham;
H. R. 18884. An act for the relief of Daniel Jordan; and
H. R. 19497. An act to amend the military record of George W. Laland.

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

H. R. 2668. An act for the relief of the heirs of Ellery B. Wilmar; and

H. R. 17842. An act for the relief of George Richardson.

H. R. 21126. An act to authorize the change of name of the steamer *General Garretson* to *S. H. Robbins* was read twice by its title and referred to the Committee on Commerce.

H. R. 18572. An act granting permission to Mrs. R. S. Abernethy, of Lincolnton, N. C., to accept the decoration of the bust of Bolivar was read twice by its title and referred to the Committee on the Library.

H. R. 20702. An act authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Robert Caldwell Culbertson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa., was read twice by its title and referred to the Committee on Public Health and National Quarantine.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 6856.

Mr. TILLMAN. Mr. President—

The VICE PRESIDENT. The Senator from South Carolina.

PERSONAL EXPLANATION—NAVAL EXPENDITURES.

Mr. TILLMAN. Mr. President, I rise to a question of personal privilege. For a second time, without a scintilla of truth to back him, George von L. Meyer, former Secretary of the Navy, and at one time Postmaster General under President Roosevelt, has slandered me grossly.

In the New York Sun of Monday, February 8, appears an editorial, "Waste in naval expenditures," which I send to the desk and ask to have inserted in the Record. In order to be perfectly fair and just to both the Sun and Mr. Meyer, I also ask to have inserted his article, which appeared in the North American Review of February.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. TILLMAN. In order that the Senate may understand what I am quarreling about I presume that the editorial from the New York Sun of the 8th instant had better be read, and I ask that it may be read.

The PRESIDING OFFICER (Mr. SAULSBURY in the chair). Without objection, the Secretary will read as requested.

The Secretary read as follows:

[Editorial from the New York Sun of Monday, Feb. 8, 1915.]

WASTE IN NAVAL EXPENDITURES.

In an article in the North American Review for February dealing with naval expenditures ex-Secretary George von L. Meyer says that "until within a few years no naval appropriation could pass the Senate which did not meet the sanction of both a northern and a southern Senator, each of whom was a member of the Committee on Naval Affairs." The northern Senator is dead; the southern Senator survives, Mr. TILLMAN, of South Carolina. These Senators in obtaining appropriations to be expended in their States were responsible for a good deal of waste. Take the Frenchmans Bay coaling station in Maine. It is now dismantled, having been "practically unused." Its cost was \$624,650, of which \$24,650, far above the assessed valuation, went for the site, and \$600,000 for development and maintenance. A good deal of money has been sunk in the Portsmouth Navy Yard, which could long ago have been dispensed with. After a dock costing \$1,122,800 was built, it was discovered that to use the dock for the larger ships of the Navy \$745,300 must be spent to blast away rock in the channel. In 15 years an outlay of \$10,857,603 was made upon the Portsmouth Navy Yard—and the adequate Boston yard was less than 70 miles away.

Senator TILLMAN, of South Carolina, is associated with the development of the naval station at Port Royal and Charleston, both of which represent a considerable amount of money thrown away. With the aid of the Maine Senator Mr. TILLMAN kept the appropriations going, reciprocity being the rule between them. The site of the Port Royal station, which is a joke in the Navy, cost \$5,000, but \$2,275,000 was spent upon Port Royal before it was abandoned. "Extravagant waste," Mr. Meyer calls it. In 1901, with the sympathy of the Maine Senator, a naval station was established at Charleston. Mr. TILLMAN was re-elected in 1901. With the valuable Norfolk Navy Yard and base at Hampton Roads, the Charleston station was obviously superfluous. A dry dock was built at Charleston costing \$1,250,000; intended for battleships. It is fit only for gunboats and destroyers. No less than \$5,000,000 was "sunk" at Charleston.

A Louisiana Representative, now deceased, who was a member of the House Naval Committee, was the "good angel" of the New Orleans yard, "located 100 miles up the river and with a floating dock of no service to dreadnaughts." That "needless and useless station" swallowed more than \$2,000,000. Up to 1910 the Pensacola yard cost the country \$12,200,000, "with little return in the way of output." On the Pacific coast the Mare Island Navy Yard at San Francisco is famous for having absorbed \$35,000,000 since 1850, although in the last eight years, for lack of water, no capital ship could be berthed there. The Hon. GEORGE C. PERKINS, Senator from California since 1893 and

a veteran of the Naval Committee, has been the "good angel" of the Mare Island yard for many years.

When Mr. Meyer was Secretary of the Navy he took the responsibility of "practically closing" the naval stations at New Orleans, Pensacola, San Juan, Port Royal, Sacketts Harbor, Culebra, and Cavite. Secretary Daniels has reopened Pensacola and New Orleans. Pointing out that the United States has more than twice as many first-class navy yards as Great Britain, Mr. Meyer urges a reduction of the number to the actual strategic needs of the service, and he also makes these recommendations: A special committee to investigate conditions in the Navy, a general staff, a national council of defense, and the budget form for appropriations.

Mr. TILLMAN. Mr. President, a brief statement of the facts is all I care to present here. To quote our old friend Prince Hal:

Mark now, how a plain tale shall put you down.

The Port Royal Station was authorized by law in 1883 at the instance of my predecessor, Senator M. C. Butler, and the dry dock was built before I became Senator. The impression which Mr. Meyer sought to convey was that I alone was responsible for the Port Royal Naval Station.

When I was elected to the Senate I chose the Committee on Naval Affairs, among others, as one upon which I desired to serve. I have been on it ever since, and am now its chairman.

The Sun has been considered one of our most reliable newspapers; and when it editorially makes glaring misstatements of fact, as in this instance, I feel compelled to correct them. The editorial was a comment on Mr. Meyer's article in the North American Review.

The Sun mentions me by name, but does not say who the "northern Senator" is, merely saying he is "dead." I am surprised that paper keeps so badly posted. Eugene Hale, of Maine, formerly Senator and chairman of the Naval Committee, is not "dead" at all. He can speak for himself about Frenchmans Bay, as can Mr. PERKINS about Mare Island.

I take occasion to say here and now there never was any understanding or dickering between Senator Hale and myself about Charleston and Frenchmans Bay. He was too great a power in Congress to make it necessary for him to resort to any such trades; and I have sought to obtain only a reasonable amount of the taxes the South pays into the Treasury to build up a southern navy yard. And I thank God I am not narrow enough or so sectional in my desires to wish to see any great naval establishment where it is not necessary that there should be one. Not possessing Mr. Meyer's knowledge of "strategy," I never could understand why Guantanamo, which is not on the mainland, and can not be reached by railroad from the United States, should have been developed at the expense of Charleston. Should war come and we lose command of the sea, necessarily our fleet would have to go to some southern harbor like Pensacola or Charleston for supplies and repairs. Pensacola can be shelled from the open sea, but the Charleston Navy Yard is too far inland to be in danger.

The Sun says again:

Senator TILLMAN, of South Carolina, is associated with the development of the naval stations at Port Royal and Charleston, both of which represent a considerable amount of money thrown away. With the aid of the Maine Senator Mr. TILLMAN kept the appropriations going, reciprocity being the rule between them. The site of the Port Royal Station, which is a joke in the Navy, cost \$5,000, but \$2,275,000 was spent upon Port Royal before it was abandoned.

It has not been abandoned at all, but is still maintained, not as a naval station, for the dock has decayed, but the Navy Department still utilizes the costly brick buildings as disciplinary barracks. They are too valuable to be turned over to the bats and owls. That policy could emanate only from a wise and thrifty man like Meyer or a sectional partisan as the Sun has shown itself to be in this matter. I am endeavoring to have the Port Royal yard used as a recruiting station for the Marine Corps. The health and other advantages possessed by that whole region point to it as being superbly suited for this purpose. It is warm enough during all the winter to drill out of doors on land or sea, and not hot enough during the summer to cause very much discomfort.

The Sun again says:

In 1901, with the sympathy of the Maine Senator, a naval station was established at Charleston.

This is true. Senator Hale was broad enough to see and realize that the South had some rights to development and the expenditure of a share of the taxes it paid.

Then the Sun says:

The dock at Charleston is fit only for gunboats and destroyers.

I want to say, and I am responsible for it because it is true, the dock at Charleston can dock a battleship now, for there is ample water from the jetties up the Cooper River to the dry dock for that purpose, the only thing now necessary being to dredge out a sharp bend in the Cooper River, estimated by the Army engineers to cost \$175,000.

This item has not been put in the "pork barrel" bill in the House—the river and harbor bill—and I expect to ask the Senate to amend the bill, if we get that bill up for consideration here, to include this item. It is forty times more valuable and of more use to the whole country than the little dry creeks they are pumping water in in the West. With this improvement the heaviest battleship can steam from the ocean into the Charleston Dry Dock without the aid of tugs at mean low tide. And yet they say we have no water on Charleston Bar. They are liars.

The Sun says:

With the valuable Norfolk Navy Yard and base at Hampton the Charleston Station was obviously superfluous.

And yet the Sun never omits to stress the special importance and necessity of the navy yard at Philadelphia, only 231 miles from New York, while Boston and Portsmouth are both much nearer to New York than is Charleston to Hampton Roads. If one-tenth of the money had been spent on the approaches to the Charleston Navy Yard and the yard itself as has been expended at Portsmouth and League Island, that yard would be as accessible as either. Mr. Meyer never thought it was "extravagant waste" to spend money on League Island, though he did find fault with the expenditure to blast the rock at the entrance of Portsmouth Harbor. Why he should grudge the pittance, by comparison, necessary to care for and develop the Charleston Yard is difficult to understand. Charleston Harbor is the only really good and commodious one between Norfolk and Key West. The commerce of the Cooper River would well warrant the expenditure of the \$175,000 needed to dredge the point off of a shoal now jutting into the channel.

For the information of those who may be inclined to give an ear to the statements of Mr. Meyer, I herewith append a statement giving a comparison of the amounts expended by the Government on northern and southern yards since 1896, when I became a Member of this body, during which time Mr. Meyer and the Sun charged me with having logrolled to build up navy yards in the South. Men can not understand figures when they are read, but I hope every Senator here will do me the honor to read this in to-morrow morning's RECORD. It shows that during the time I have been in the Senate \$120,000,000 have been spent on six northern yards, while during that whole time when Mr. Meyer says I was robbing the Treasury only \$20,000,000 have been spent in the whole South, where there are also six.

I present a statement of expenditures for the period 1896 to 1914 (fiscal years), inclusive, at the navy yards listed below for improvements (buildings, public works, machinery) and maintenance:

NORTHERN YARDS, INCLUDING NORFOLK.

Yards.	Improvements.	Maintenance.	Total.
Portsmouth, N. H.	\$7,808,171.87	\$5,648,012.64	\$13,456,184.51
Boston, Mass.	9,130,941.71	11,049,174.76	20,180,116.47
New York, N. Y.	17,553,986.32	25,963,890.72	43,517,877.04
Philadelphia, Pa.	10,437,878.84	9,778,933.65	20,216,812.49
Norfolk, Va.	11,004,857.23	13,174,199.77	24,179,057.00
Total	55,935,835.97	65,614,211.54	121,550,047.51

SOUTHERN YARDS, INCLUDING GULF PORTS.

Charleston, S. C.	\$4,344,475.80	\$1,383,211.59	\$5,727,687.39
Port Royal, S. C.	1,010,798.50	1,337,435.26	2,348,233.76
Pensacola, Fla.	1,795,553.96	2,626,299.08	4,421,853.04
New Orleans, La.	2,668,610.50	704,002.67	3,372,613.17
Key West, Fla.	2,598,632.30	1,979,722.75	4,578,355.05
Total	12,418,271.06	8,030,672.35	20,448,943.41

These figures prove conclusively whether or not the southern Senators, the "good angels," as the Sun calls them, have been milking the Public Treasury for sectional benefit.

In this connection I ask to have read a copy of a letter furnished me by ex-Senator William E. Chandler, written to Hon. GEORGE C. PERKINS, which illuminates the whole naval situation.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

WASHINGTON, D. C., February 8, 1915.

Hon. GEORGE C. PERKINS,
United States Senate.

MY DEAR SENATOR: In reply to your letter of the 3d instant, allow me to write a few words in addition to my letters of January 15 and February 1.

If we ignorantly and foolishly make haste to increase the number of our old-fashioned battleships and the quantity of our obsolete naval instruments and munitions of war, there will be danger that we shall equally foolishly make haste to use them by unnecessarily making war

against somebody. A naval officer whom I well knew told me he hoped that our pugnacious Admiral Robley D. Evans would bring on a war with Chile. To my dissent he replied by asking me if I had not been in favor of building a new and strong navy, and upon my replying in the affirmative he said, "Then you ought to be in favor of using it." That is apt to be too much the feeling of our Army and Navy officers. That the privates and their families have that intense desire is not sure.

It is unpleasant to read in the Washington Post of the 5th ex-Secretary von L. Meyer's article headed "Navy weak because politicians waste funds and facts kept from public, former Secretary Meyer points out, urging a national council of defense." If this attack upon his own political party by the ex-Secretary can possibly be justified, there can be no doubt that the Secretary himself, who retired from the department on March 4, 1913, is quite as much to blame for it as any other human being.

But possibly his obligations to the Navy League of the United States, of which he has become the leading and one of the most wealthy and powerful directors, have compelled him to compose and publish his philippic against politicians. There are evidences that the league has taken charge of the present pressure through the newspapers and the Congress for hasty and unwise construction of more battleships.

As well as the Navy League publication of November 14, 1914, there has been published in Washington the Advocate of Peace of February, 1915. It would be profitable for citizens who read one of these magazines to read the other also and keep their heads level on the question of American war policies.

The Advocate of Peace, in an article by Louis P. Lochner headed "Wanted, aggressive pacifism," repeats what Norman Angell has said about the German Navy League, as follows:

"When Admiral Tirpitz decided that Germany was to have a great navy he knew that the first thing to do was to create a public opinion; and he promptly started the German Navy League, saw that it was subsidized, inspired patriotic writers, entertained professors, made friends with the newspaper men, had the Krupps buy up a newspaper or two; so that in less than 10 years German opinion had formulated its demand for a great navy, and, of course, the Government had to be guided by so definitely expressed a national demand. When orders are slack at Krupps there is no difficulty in arranging that the French agents of that enterprising firm shall circulate in French newspapers statements as to the impending increase of French armaments, which are promptly reproduced—with a new coat of paint—in the German press. In England we have not one navy league, but at least two. When our great soldiers want conscription they do not wait for public opinion; they make it. Lord Roberts, earl and field marshal, takes the stump, addressing great public audiences, is most efficiently stage-managed, and for 10 years the organization which he patronizes has been industriously at work."

It is to be feared that the American Navy League will be pressed into the service of war very much after the fashion of the German Navy League, and that Secretary George von L. Meyer will be the leader, having for his aids Beekman Winthrop, Horace L. Satterlee, Richmond P. Hobson, and Augustus P. Gardner, with Treasurer Glover close at hand.

It will be enlightening to read Mr. Meyer's specifications showing the "Navy weak because politicians waste funds, and facts kept from the public."

After condemning various appropriations for navy yards and stations, and saying that they could never have passed except by the cooperation of two Senators, one a northerner and the other a southerner—not venturing to give the name of either—he urges action as follows:

1. The increase of the number of officers and men in the Navy—18,556 men, and also 922 line officers in addition to the 3,388 existing officers.
2. A special committee to investigate the conditions in the Navy, to see "to what extent political influences have misdirected the appropriations during the last 25 years," presumably thus to help ex-Secretary Meyer's political party.
3. A special committee of Army and Navy experts to recommend the abolishment of surplus naval stations.
4. Congress to inaugurate a national council of defense, such as the naval officers and the Navy League and Messrs. HOBSON and GARDNER are demanding.
5. Congress to establish a general staff in the Navy.
6. An English budget system.
7. That all these things shall be done before the 4th of March, 1915, so that all the above six indispensable movements for "reforms and changes may be made at once."

If all the six above proceedings now urged by Mr. Meyer are indispensable to the public welfare, no one is to be condemned more because they have not been adopted than he is. From March 16, 1909, to March 4, 1913, he was Secretary of the Navy. He had previously studied great subjects as ambassador to Italy in 1900, to Russia in 1905; as Postmaster General in 1907; always a director of the Navy League. What was he doing all this time? Was he a failure? Was he a politician?

Rear Admiral Knight also, as well as Mr. Meyer, knows exactly what should be done, and frankly tells what he must have in his speech on January 25 before the Efficiency Club of New York City:

- (1) A new bill reorganizing the Navy personnel;
- (2) another reorganizing the department;
- (3) the council of aids;
- (4) the General Board and
- (5) the War College to be recognized by law; but these being insufficient, they are to have added (6) "a division of strategy and operations," and over all (7) a "council of national defense," with the President of the United States at its head, "for the creation of which council a bill is already before Congress." Undoubtedly, when that council meets the Secretary and Assistant Secretary of the Navy will be allowed to sit in the background on stools and take orders—with the permission of their "subordinate" organizations, which have been put over them, and of the Navy League.

Yours, truly,

W. E. CHANDLER.

Mr. TILLMAN. Mr. President, I ask to have read the letter written by ex-Senator William E. Chandler to Senator PERKINS, February 1. It is very instructive and illuminating.

The PRESIDING OFFICER. Without objection, the Secretary will read.

The Secretary read as follows:

WASHINGTON, D. C., February 1, 1915.

United States Senator GEORGE C. PERKINS.

MY DEAR SENATOR PERKINS: It was not expected by me that my letter to you of January 15 on naval questions would be read to "the

most distinguished legislative body in the world," as Vice President Stevenson proudly called it. In view of such honorable mention of the letter a review thereof has been made which increases rather than diminishes my conviction of the correctness of the opinions expressed therein.

First. The Republicans can make no good points against the Democratic Party on account of delays in naval construction or neglects in naval management.

Second. We should make haste slowly in ordering new constructions; especially should we not now authorize \$15,000,000 "replacement" battleships to supersede the famous *Oregon* and the *Indiana*, *Massachusetts*, *Kentucky*, and *Kearsarge*, which by being called "replaced" are to be condemned as obsolete.

Third. We should not overcome the two comparatively powerless civilians—the Secretary and Assistant Secretary—sitting in the Navy Department, feebly facing the 3,385 uniformed naval officers, by putting over the two civilians any more councils of war or boards of control than now exist.

Fourth. We should always bear in mind the taxpayers of the country, now being overwhelmed by a weight of taxation imposed in a time of present and prospective peace by all the numerous methods which the ingenuity of man can devise—district, town, ward, city, county, State, and National.

It may be true that the Democratic abandonment of campaign promises and the plunging into vast expenditures and voluminous taxation have made certain the defeat of the Democratic Party in 1916, but Republicans should not on that account take part in the oppressive wrongdoing.

To realize how little need there is of putting any more guides in charge of the two civilians nominally controlling the Navy Department, will you please turn to the Congressional Directory of January, 1915, page 262, and see what follows the first two names—those of Secretary Daniels and Assistant Secretary Franklin D. Roosevelt—in the form of a list of assistants to instruct them and help them conduct the Navy of a peaceful Republic.

They are (1) an aid for operations who is a rear admiral, with 4 assistant aids; (6) more aids—an aid for the Marine Corps, 1 for personnel, 1 for material, with 4 assistants, 1 for education, 2 directors of the navy yards, and an aid for the Secretary; (17) the Admiral of the Navy, with 2 assistants; (20) director of the Office of Naval Intelligence, with 7 assistants; (28) Bureau of Navigation, with 6 assistants; (35) hydrographic officer, with 4 assistants; (40) Bureau of Yards and Docks, with 5 assistants; (46) Bureau of Ordnance, with 14 assistants; (61) Bureau of Construction and Repair, with 8 assistants; (70) Bureau of Steam Engineering, with 15 assistants; (86) Bureau of Supplies and Accounts, with 6 assistants; (93) Bureau of Medicine and Surgery, with 5 assistants; (99) office of Judge Advocate General, with 9 naval officers as assistants; (109) commandant of the navy yard, with 18 assistants; (128) various officers on duty numbering 24; (153) the General Board, headed by the Admiral of the Navy, with 3 rear admirals and 6 captains as members and 6 other officers to help them; (169) an inspecting board of 6 officers; (176) a general inspector; (177) a naval examining board of 5 officers; (182) a retiring board and medical examining board, with 10 officers; (192) marine headquarters, with 8 officers; (202) Quartermaster's Department, with 4 officers; and (206) a marine barracks, with 4 officers, all making about 210 officers, practically all of them engaged in the business of advising the 2 civilians who are at the head of the list, while Congressman GARDNER is insisting that in addition there shall be created outside boards and councillors of great pretensions and overpowering influence for the same purpose.

It is not to be overlooked, the overwhelming fact that to advise and direct the two civilians there is always at hand the Congress, with its broad power of investigation by committees, which should not be surrendered to any extent by the creation of outside councils of national defense. If the two civilian secretaries and their commander in chief want more advice than they obtain from the 3,388 naval officers with their organizations hereinabove alluded to, their natural reliance should be upon Congress and its committees, and it is the height of folly for Congress to evade its duty and shift its burden upon new organizations with high-sounding names.

THE NAVY LEAGUE.

It must further be borne in mind, in considering the influences which can be exerted to make a nation like ours sufficiently militaristic, that there are other potential agencies than merely the President, the Congress, with its committees, and the Navy Department, with its 3,388 officers commissioned for life, having many suborganizations running up to the General Board and its president, the Admiral of the Navy, the hero of Manila Bay in 1898.

That additional organization is "The Navy League of the United States," 609 Southern Building, Washington, which publishes the monthly called *The Navy*, and which in its November number utters "A peremptory warning" to the Nation, demanding greater preparedness of the Navy of the Republic against "the criminal negligence of its own officials."

The officers of the Navy League, as shown by the November number, are among the most honored and the most influential of our citizens.

Horace Porter is president, Charles C. Glover is treasurer, Robert M. Thompson is chairman of the executive committee, and other well-known names follow, including William A. Clark, of Montana, George v. L. Meyer, J. P. Morgan, John C. O'Laughlin, and Beckman Winthrop, while Herbert L. Satterlee is the lawyer of the league.

This number of *The Navy* contains a complete answer to "The Three Men Behind the Guns" of Rev. Dr. Charles E. Jefferson, of the Broadway Tabernacle, New York City, who lately unkindly preached that the Governments of Christendom have fallen into the clutches of a triumvirate consisting of (1) the military specialist, (2) the military contractor, and (3) the Navy League advocate. The number, under the head of "The Illusions of a Pacifist," concludes its exposure of the worthlessness of the illusions by asserting that "Dr. Jefferson's opinions are no better than his information"; indeed, that the latter is "actually a mass of misinformation."

The league article goes on to show that it is not intended that our projected council of national defense shall be headed by a military specialist, but that "the general expression of Army and Navy officers has been that the council should consist of the President of the United States (presiding); the Secretaries of State, War, and Navy; the chairmen of the Senate and House Committees on Appropriations, Foreign Affairs, Military Affairs, Naval Affairs; the Chief of the General Staff of the Army; an officer of the Navy; and the presidents of the Army and the Navy War Colleges."

THE GERMAN NAVY LEAGUE.

It must be apparent to every lover of his country and friend and admirer of its Navy that there need be in the United States no more than the existing boards of advisers so long as the Navy League exists and the magazine *The Navy* is published. Its prototype is the German Navy League, which has given such success and fame to the German Navy. To be sure, our league is not yet so large and so multifarious in its agencies as the German organization, but it can be easily made so. The November number says of our American league: THE MEMBERSHIP OF THE LEAGUE.

"April 1, 1909, there were on the books of the league the names of 4,500 members. There are now on the books of the league 6,837 members. * * * The time is now ripe for a popular movement that will greatly add to our numbers the coming year. * * * Never was there greater need of patriotic education as to the reasons for maintaining a strong Navy. Dr. Edward Brock, of Boston, who is well informed regarding the Navy, will visit the various cities of the country this winter, giving his stereopticon lectures before clubs, patriotic societies, and miscellaneous organizations for the purpose of building up the league membership. It is thought that many organizations will be willing to join the league in a body as corporate members. Each organization will be expected to appoint a Navy League committee and arrange for at least one patriotic meeting each year. Committees will also cooperate with the league in the distribution of pamphlets and building up the membership. The Washington Leading Men's Association, which has a membership of 500, has been asked to join the league as a body, it being understood that their members will be considered corporate members."

Frederick William Wille, the Berlin correspondent of the London Daily Mail and the New York Times, in his wonderful book, written in Berlin in May, 1913, the Bobbs Merrill Co., Indianapolis, publishers, entitled "The Men Around the Kaiser: The Makers of Modern Germany," tells us of the size at that date of the German Navy League:

"To-day the league's membership is approaching 1,250,000. Over 3,500 local branches are scattered throughout the country. No hamlet, no matter how tiny or remote from the seaboard, is left uncannased."

"The league's invested fortune is nearly \$100,000. Its annual income from membership subscriptions is \$87,500. It earns another \$35,000 from advertisements in the league's excellent official organ, *Die Flotte*—mostly the announcements of the shipbuilders and gun-makers whose dividends are born in the league's sleepless propaganda. Close to \$125,000 a year is spent in preaching the big-navy gospel. *Die Flotte* spreads its broadcast to 360,000 Germans, at home and abroad, from month to month."

The amazing history of the league is fully told by Mr. Wille in his sixteenth chapter, which is headed "Admiral Von Koester." No more useful study can be made than of his picture of the *Deutscher Flotten-Verein*.

1. HOW QUICKLY THE REICHSTAG VOTED \$100,000,000 FOR THE GERMAN NAVY.

In the early days of March, 1909, a phenomenon unprecedented in the world's parliamentary history took place in the Reichstag. German naval estimates aggregating, roundly, \$100,000,000, the heaviest on record, were passed without a dissenting voice or syllable of debate. Funds for the laying down of three superdreadnaughts, a battle cruiser, and a complementary squadron of smaller cruisers, torpedo boats, and submarines, and for the fixed charges of naval upkeep, were voted without a murmur of disapproval or discussion.

2. THE AMAZING PROPAGANDA OF THE GERMAN NAVY LEAGUE DID IT.

It suggests a fascinating psychological study to examine the causes which induce tax-burdened Germany, already saddled with a colossal army budget, which amounts for 1913 to \$500,000,000, to shoulder uncompromisingly naval expenditure which has risen from \$30,000,000 in 1898 to \$116,750,000 in 1913. The explanation is not far to seek. In the amazing propaganda carried on by the German Navy League lies the secret of the conversion of the nation once known as the land of thinkers and poets into a race of naval enthusiasts. It is the Navy League—no mere pusillanimous coterie of armchair admirals who adopt resolutions and banquet annually, but a militant phalanx of a million practical patriots—which has driven the doctrine of sea power so deep into the German marrow that it has become a religion.

3. ADMIRAL VON KOESTER, NEXT TO THE EMPEROR, REORGANIZED THE FLOTTEN VEREIN.

Such crusades in all ages have had outstanding generalissimos. Admiral von Koester, the grand old man of the German fleet, is the personality which has made the Navy League pulsate with life and fruitful energy. A sailor for 50 years, with the highest honors of the service to his credit, he became its president six years ago at a critical juncture. Fanatical methods of a predecessor in office had brought the organization to the brink of disintegration. The imperial admiralty was face to face with a calamity. The break-up of the Navy League threatened danger to the whole future of German naval policy. Koester had just relinquished the commandship in chief of the high-seas fleet with the rank of grand admiral, which corresponds to the highest rank in the army, that of a field marshal. Though the privileges and emoluments of the retired list were his due, he much preferred to remain at work. No field of usefulness at the moment compared in importance with the task of keeping intact the machinery of the Navy League. He shouldered it. The executive gifts which had distinguished his entire career speedily enabled him to restore harmony in the league's warring ranks. On the wave of enthusiasm which accompanied the dawn of the dreadnought era, the *Flotten Verein* was launched on a new career of prosperity and power.

4. THE KAISER CALLED TO ARMS, VON TIRPITZ MANAGED THE PARTY POLITICS, THE NAVY LEAGUE KEPT THE CONSCIENCE OF THE COUNTRY AWAKE.

It was the Kaiser who proclaimed, at the birth of the new century, that "Germany's future lay upon the water"; that a mighty fleet was a "bitter necessity"; that "the ocean was essential to Germany's greatness"; that "the trident must be in Michel's hand"; that "the more Germans who went to sea, the better for the Fatherland"; and the other epigrammatic ukases which fired Teuton imaginations with visions of admiralty. It was von Tirpitz who plotted ever-recurring programs through the tortuous waters of party politics. But it is the Navy League which has kept the conscience of the country awake, which has aroused the nation's fears and fanned its passions as occasion demanded. "Record" naval estimates disturb the equanimity of the average German no more than budgets for the State railways. The agitation for naval expansion waged in Germany during the past 15 years is peerless among campaigns of education in our time.

5. HOW THE COUNTRY WAS AROUSED—THE FARMERS, THE MOUNTAINEERS, THE MILL HANDS, THE PEASANTS, THE LANDLUBBERS, LURED BY THE NAVY LEAGUE.

Glib-tongued orators, whose fervor sometimes triumphs over the truth, drive it home at countless meetings in village, town, and city. Twenty cinema-picture apparatuses, owned by the league, are kept moving across the country, telling in the convincing language of the film the stories and the glories of the fleet. During the summer holidays thousands of school-children and teachers are brought to the ports, war harbors, and dockyards to see the navy at work and in the making, that each may go home a missionary in the holy cause. Still other excursions are organized for members of the league as a means of training them to become agitators. The league lays special stress on educating children and people from remote inland regions. The men and women of Hamburg and Bremen, of Danzig and Stettin, in whose nostrils the salt of the sea has lodged since the cradle, need no persuasion. It is the farmers of east and west Prussia, the mountaineers of Bavaria, the mill hands of Rhineland and Westphalia, the peasants of Saxony, the landlubbers of the cities, whom the navy league systematically lures to the North Sea and the Baltic, and sends back to workaday existences confirmed enthusiasts. They have made privileged inspections of the floating fortresses which belch broadsides calculable only in tons, and believe for evermore in the "bitter need" of might at sea.

6. HOW THE LEAGUE CONTROLS POLITICAL CRISES—"ITS HAND IS SELDOM DISCLOSED, BUT ITS INFLUENCE IS EASILY RECOGNIZED."

When great political crises, like Morocco, arise, the navy league puts on extra coats of war paint. Its hand is seldom disclosed, but its influence is easily recognized. No one at such times can place his finger on the point where the "inspiration" of the league begins and ends, but there is far too much homogeneity and synchronism about the press and pamphlet campaigns which rage at psychological moments to entitle them to be considered either spontaneous or sporadic. If public opinion is excited or excitable, as it was after Agadir, the league's benchmen proceed to excite it still more. The slogan of "The fatherland in danger!" is vociferously hoisted to the ramparts. The bookshop windows fill up, as if by magic, with inflammatory prints depicting Germany on the threshold of catastrophe. Brochures clamoring for fresh dreadnaughts rain on offenseless members of Parliament. "England the Foe," "Perfidious Albion," "The Coming War," "The British Peril," "England's Plan to Fall on Us in 1911"—a random and slender selection of titles from the literature which paved the way for the latest, but probably not the last, great increase in the German fleet. Nobody subscribes more unreservedly to the doctrine that the end justifies the means than the Deutscher Flotten-Verein.

7. VON KOESTER PLAYS THE RÔLE OF AGITATOR AT NAVY LEAGUE MEETINGS.

One of the mildest-eyed and gentlest of men is the presiding genius over this mighty engine of publicity. * * * Like every other man in the Kaiser's fleet, von Koester is a profound admirer of British naval traditions and an advocate of cordial relations with the mistress of the sea; but he believes that genuine international friendships rests on mutual esteem. Unprovided with imposing strength at sea, he declares, Germany can never command adequate respect from a naval power. This is the line von Koester espouses eloquently when he himself plays the rôle of agitator at important Navy League meetings throughout the country. He particularly combats the theory that Germany has armed in stealth or gone beyond the limits originally contemplated by her naval law. "We have always laid our cards on the table," is one of his favorite assertions. At present the Navy League's "program" is the creation of a flying squadron of battle cruisers for service in foreign waters in order that the Kaiser's flag may be able to assert itself on short notice wherever and whenever German over-sea interests are menaced or attacked.

I hope you will excuse me for giving you at such great length sketches of the American and Germanic Navy Leagues. When the first of these has been carried to the size and power and wisdom of the German one there will be no need of governing the two civilian Secretaries in our Navy Department and their present assistants and instructors by any councils of national defense. For that duty the Navy League will be sufficient until the Secretaries go out of power on March 3, 1917. Meantime, there is no common sense, and it will be a monumental mistake, in forcing them into beginning the construction of more "replacement battleships."

We are now building the following: The *Arizona*, *California*, *Idaho*, *Mississippi*, *Nevada*, *Oklahoma*, and *Pennsylvania*; the contract price for them, not including armor or armament, is six millions each for the *Nevada* and *Oklahoma* and seven millions for each of the other five,

making forty-seven millions for the hulls and as much more for the armor and the armament, as will make the total cost reach \$100,000,000. The times of completion of the ships vary from December, 1915, to December, 1917. Is there any doubt that we ought not to authorize, not the planning but the contracting, for the construction of more battleships without learning what the present European war will teach us about armored vessels, Zeppelins, aeroplanes, and submarines? Until we learn all the facts, the Navy League and Congressmen Hobson and Gardner can be trusted to keep sufficiently alive militarism in the United States.

Very truly, yours,

WM. E. CHANDLER.

ARE NAVAL EXPENDITURES WASTED?

[By George von L. Meyer, former Secretary of the Navy.]

The public demand for the facts with respect to the preparedness of the Navy to-day grows out of a popular desire to be sure that we are getting our money's worth for money expended. The people can not pass intelligently upon the question of the size of the Navy until they know its condition, its organization as it now exists, whether it is being administered efficiently and economically, and what methods have been employed as to the making and using of the appropriations.

Our naval appropriation for 1914 was \$140,000,000; that of Germany, \$120,000,000. The total appropriation for our Navy from 1900 to 1914, inclusive, amounted to \$1,656,000,000, while the appropriation during the same period for Germany's navy was \$1,137,000,000, showing that the American Navy during 15 years has cost 45 per cent more than the Kaiser's navy. Yet to-day Germany's navy is more powerful than ours. The difference during those years represents the cost of two battleships annually for 15 years.

United within a few years no naval appropriation could pass the Senate which did not meet the sanction of both a northern and southern Senator, each of whom was a member of the Committee on Naval Affairs. It is interesting, in consequence, to analyze some of the appropriations between 1895 and 1910.

In 1899 a site was purchased in Frenchmans Bay, Me., at a cost of \$24,650—far above the assessed valuation—and later an additional amount of \$600,000 was expended to obtain there an absolutely unnecessary coaling station, which has since been dismantled, as it was practically unused.

At the Portsmouth Navy Yard, so called, in Kittery, Me., a dock was built at an expense of \$1,122,800, and later it was found necessary to blast away rock in the channel in order to reach the dock, at an additional expense of \$745,300.

Between 1895 and 1910 improvements, machinery, repairs, and maintenance in the yard amounted to \$10,857,693, although there was a large navy yard within 70 miles.

On the other hand, at Port Royal, S. C., a dock was built, at the insistence of the southern Senator, at a cost of \$450,000, which proved useless, and, although the original cost of the site was but \$5,000, it was not abandoned as a naval base until \$2,275,000 had been expended.

Not the least daunted by this extravagant waste, the same Senator determined to have a share of the naval melon for his State, so, with the assistance of the northern Senator, he obtained the establishment of another naval station at Charleston, S. C., in 1901. There was no strategic value thus accomplished, nor was it necessary, with the Norfolk Navy Yard located at Hampton Roads. The \$5,000,000 which has been squandered at Charleston includes a dry dock built for battleships, costing \$1,250,000, but which experience shows can only be used by torpedo destroyers and gunboats. The \$5,000,000 could have been employed to great advantage at the Norfolk Navy Yard, where the battleship fleet generally assembles. A portion even could have been used wisely at Key West, Fla., a supplementary base of real strategic value for torpedoes and submarines—a protection to the Gulf of Mexico and the mouth of the Mississippi River—and on account of its geographical situation, Key West would serve as a base of supplies to the fleet in the Caribbean Sea.

The purpose of the navy yards is to keep the fleet in efficient condition. Their location should be determined by strategic conditions, their number by the actual needs of the fleet. The maintenance of navy yards which do not contribute to battle efficiency is a great source of waste.

The United States has over twice as many first-class navy yards as Great Britain, with a navy more than double the size of ours, and more than three times as many as Germany, whose navy is larger than that of the United States.

The total cost of navy yards up to June 30, 1910, with land, public works, improvements, machinery, and maintenance, including repairs, amounts to \$320,600,000, as seen by the footnote on the following table:

Statement showing date of establishment; original cost of site; expenditures for buildings, public works, and improvements; machinery installed in the various buildings; and cost of maintenance of the several navy yards and stations to June 30, 1910; also the average yearly cost of maintenance for five years.

Stations.	Date of establishment.	Original cost of site.	Total expenditures for buildings, public works, improvements, and machinery installed in the various buildings.	Total maintenance, including repairs.	Total cost of land, public works, improvements, machinery, and maintenance, including repairs.	Average yearly cost of maintenance for five years.
First-class navy yards (at home):						
Portsmouth.....	1800	\$110,500.00	\$10,006,929.89	\$8,720,582.09	\$18,838,011.98	\$428,595.15
Boston.....	1800	360,782.26	14,015,799.50	16,007,646.23	30,384,227.99	916,535.41
New York.....	1801	590,123.15	25,867,974.92	31,177,278.60	57,635,376.67	1,958,452.92
Philadelphia.....	1868	Gift.	11,015,439.94	10,269,160.47	21,284,600.41	708,093.69
Washington.....	1800	157,099.00	11,969,124.71	13,197,175.25	25,323,398.96	728,695.26
Norfolk.....	1800	478,517.50	15,733,682.19	16,113,733.15	32,325,932.84	1,006,598.64
Mare Island.....	1854	83,491.00	17,644,057.09	17,363,162.17	35,090,710.26	1,051,424.93
Puget Sound.....	1891	18,212.50	5,610,377.53	3,769,002.96	9,398,192.99	469,012.97
Second-class navy yards (at home):						
Charleston.....	1901	105,207.00	3,857,180.01	778,381.52	4,740,768.53	142,952.88
Pensacola.....	1828	(1)	7,700,637.10	4,516,794.01	12,217,431.11	340,011.95
New Orleans.....	1849	15,000.00	2,684,151.18	701,984.69	3,401,135.87	112,098.79
First-class navy yard (abroad):						
Hawaii.....	1899	58,140.50	1,577,814.35	590,700.73	2,226,655.58	89,318.43

¹ Military reservation.

Statement showing date of establishment; original cost of site; expenditures for buildings, public works, and improvements; machinery installed in the various buildings; and cost of maintenance of the several navy yards and stations to June 30, 1910; also the average yearly cost of maintenance for five years—Continued.

Stations.	Date of establishment.	Original cost of site.	Total expenditures for buildings, public works, improvements, and machinery installed in the various buildings.	Total maintenance, including repairs.	Total cost of land, public works, improvements, machinery, and maintenance, including repairs.	Average yearly cost of maintenance for five years.
Second-class navy yards (abroad):						
Cavite.....	1898	(1)	\$2,523,136.35	\$8,723,088.71	\$11,246,225.06	\$1,056,401.84
Olongapo.....	1901	(1)	2,908,849.48	909,515.30	3,818,364.78	177,265.33
Naval stations (at home):						
Port Royal.....	1883	\$5,000.00	1,173,647.78	1,100,002.00	2,278,649.78	24,351.76
Key West.....	1854	156,111.83	2,205,440.23	1,787,934.35	4,149,486.41	143,096.25
Naval stations (abroad):						
Guantanamo.....	1903	Leased.	1,189,237.01	969,211.60	2,158,448.61	178,131.21
San Juan.....	1898	(1)	73,754.06	770,265.31	844,019.37	95,746.83
Guam.....	1898	(1)	296,624.14	1,253,188.58	1,549,812.72	180,510.90
Tutuila.....	1900	45,125.39	489,353.09	447,005.83	981,484.31	64,258.52
Training stations:						
Newport.....	1869	69,850.00	2,378,171.72	4,778,286.21	7,226,307.93	506,917.90
California.....	1898	(2)	344,969.35	720,656.07	1,065,625.43	96,084.07
Great Lakes.....	1905	Gift.	2,591,546.58	313,306.90	2,904,853.48	62,661.38
Coaling stations:						
Frenchmans Bay.....	1899	24,650.00	541,167.44	57,884.54	623,701.98	8,655.55
Bradford.....	1900	35,000.00	1,148,944.80	220,536.88	1,404,481.68	38,589.37
Pichilique, Mexico.....	1900		51,804.44	20,032.78	71,837.22	2,019.94
San Diego, Cal.....	1904	(2)	204,758.87	26,822.98	231,581.85	4,742.17
Tihuron.....	1904	80,000.00	556,409.53	98,124.75	734,534.28	19,490.97
Miscellaneous:						
Annapolis (Naval Academy).....	1845	405,345.76	10,825,529.94	10,244,815.07	21,475,690.77	1,252,519.53
Naval proving ground.....	1890	38,220.00	944,620.24	1,206,324.75	2,189,164.99	120,790.63
Las Animas (naval hospital).....	1907	(2)	374,573.42	827,247.52	1,201,820.94	165,449.50
Culebra (naval base).....	1904	(1)	23,132.08	157,788.91	180,920.99	30,187.35
Sitka.....	1900	(2)	124,961.96	22,909.92	147,871.88	3,324.78
Yokohama.....	1900		88,677.99	406,232.00	494,909.99	55,811.94
New London.....	1868	Gift.	431,037.46	337,561.68	768,599.14	13,156.05
Sacketts Harbor, N. Y.....	1845	4,425.00	36,387.05	14,820.95	55,633.00	4,647.98
Total.....			2,840,800.89	159,209,903.39	158,619,765.46	12,252,602.82

¹ Acquired by conquest.
² Military reservation.

³ First record of any appropriation being made for improvements or maintenance.
⁴ Expenditure fiscal year 1910, \$2,107.91.

Overburdened with a superfluous number of navy yards distributed along the Atlantic coast from Maine to Louisiana, in 1910 I recommended that Congress give up and dispose of naval stations at New Orleans, Pensacola, San Juan, Port Royal, New London, Sacketts Harbor (N. Y.), Culebra, and Cavite, none of which was a first-class station. The average yearly cost of maintaining these stations between 1905 and 1910 was \$1,672,675, and very little useful work had been performed at any of them. Later I practically closed them, but could not abolish or dispose of them, no action having been taken by Congress. Pensacola and New Orleans have since been reopened by my successor.

The interests of the country and the interests of the Navy would be best served by one first-class naval base with sufficient anchorage for the entire fleet, north of the Delaware, equipped for docking, repairing, etc., and another station of equal capacity at Norfolk, in Chesapeake Bay, with Guantanamo, Cuba, to serve as the winter-station rendezvous.

On the Pacific coast we are fortunate in having only two naval stations, one at Bremerton, on Puget Sound, established in 1891, with ample depth of water, costing to date about \$9,000,000; and the other at Mare Island, established in 1850, some 30 miles from the harbor of San Francisco, with inadequate depth and width of water along its water front. The total costs, with maintenance and repairs, have amounted to \$35,000,000, and, on account of insufficient depth of water, none of the battleships built in the last eight years could have been berthed there.

Arrangements were entered into some time ago, and have lately been consummated, by which the Navy will have the use of a thousand-foot dock to be built at Hunters Point by a private corporation, the Government making an annual payment of \$50,000. With the completion of this great dock the fleet will not have to depend entirely on Puget Sound. Later there will be additional facilities in Hawaii, when the Pearl Harbor Dock is finished.

The situation of the naval base near San Francisco is as follows:

We have the Mare Island Navy Yard at Vallejo, with use of a future battleship dock at Hunters Point, near San Francisco, a coaling station on an island in the bay, and a training station on still another. It has been well understood for years that the California Senator on the Naval Committee would not consent to the abandonment of the Mare Island, suited to its requirements when first selected, in 1850, but absolutely unsuited to Navy requirements after battleships became a feature.

The New Orleans yard, located 100 miles up the river, and with a floating dock of no service to dreadnaughts, its capacity being limited to 16,000 tons as a maximum, was furnished up for a while with modern shop buildings and incomplete streets in order to appease a Louisiana Congressman, a member of the Naval Committee, since deceased. The amount expended on that needless and useless station was over \$2,000,000.

The Pensacola Navy Yard, originally a military reservation, had cost the United States Government, up to 1910, \$12,200,000, with little return in the way of output.

The fundamental cause of excessive expenditures is due to the fact that appropriations are not made with the sole view of the battle efficiency of the fleet (which is the Navy) and its military requirements. Politics and logrolling, as I have shown, have entered into the making of appropriations by Congress.

A more recent case is the training station outside of Chicago, established in 1905. The original site was a gift, but \$3,646,000 has been expended, buildings erected on a lavish scale, quite unnecessary and not suitable, due to the zeal of a Congressman of the district, a member of the Naval Committee. One-half the amount would have more than met the requirements and have been better adapted to what a training station should be.

For an example as to the present lack of efficiency, in a hearing at Washington, December 9, 1914, Admiral Fletcher is asked:

"Mr. ROBERTS (member of the Naval Committee). Here is a statement reciting reasons why the submarines are in such bad condition: 'The fault has been that no one in the department has been charged with the direct responsibility of keeping submarines in constant repair.' Do you know anything about that? Is it a fact that there is no one in the department especially charged with looking after submarines and keeping them in repair?"

"Admiral FLETCHER. No; I know nothing of that kind.

"Mr. ROBERTS. Then, if there is such a lack of care with submarines as set forth in this article, there is no one in the Navy Department who is responsible for it?"

"Admiral FLETCHER. Yes."

When Commander Sterling made the report on the unsatisfactory condition of the submarines, if Secretary Daniels had not abolished the aid for inspection he could have sent for the aid, turned the report over to him for investigation, the findings to be made direct to the Secretary. The next move would have been to call together the chiefs of bureau concerned and thrash the matter out before the aids, in conjunction with the bureau chiefs, either in the presence of the Secretary or brought to him for final decision after conclusion had been reached. This was not done, the aid for inspection having been abolished, but Commander Sterling was reprimanded by the Secretary.

The organization of aids to the Secretary, consisting of an aid for operations, for personnel, for material, and for inspection, making a council of four responsible expert advisers, was turned over to the present head of the Navy. This has been disrupted and no established system has taken its place. In case of a crisis business would be congested, confusion would reign, discredit to the Navy would follow, with possible disgrace to the country.

Building battleships without an adequate force of men is equal to wasting money; only 10 ships of the first line and 11 of the second, according to the Navy Department, can be placed in full commission for service, due to a shortage of men and officers.

To provide a proper complement for all vessels of the Navy which could still be made useful would require an additional force of 18,556 men and 933 line officers, according to the testimony of Admiral Badger before the Naval Committee December 8, 1914.

That we have not been getting proper return for money expended in the Navy is not known to the majority of our people, nor is it realized to what extent political influences have misdirected the appropriations during the past 25 years. The remedy will only come from absolute publicity.

Let a special committee be appointed to investigate the conditions in the Navy.

Let a special committee of military experts from the Army and Navy be appointed to recommend what naval stations shall be abolished and sold and if any shall be established to take their places.

Let Congress inaugurate a national council of defense made up of Members of the Cabinet, Senate, and House, with the Chiefs of Staff from the Army and Navy, that more efficient cooperation may be obtained between the executive and legislative branches of the Government in respect to military requirements.

Let Congress establish a general staff in the Navy.

Let appropriations be made in budget form on a plan of expenditures proposed by the department.

Let action be taken by this Congress in order that necessary reforms and changes may be made at once, as it is now recognized that the Navy should be the strong right arm of the Government and one of the vital factors in the national strength.

GEORGE V. L. MEYER.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. WEEKS. Mr. President—

The PRESIDING OFFICER. The Senator from Massachusetts.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Gore	Newlands	Smith, Ga.
Bankhead	Gronna	Norris	Smith, Md.
Brandegee	Hardwick	O'Gorman	Smith, S. C.
Bristow	Hitchcock	Oliver	Smoot
Bryan	Hollis	Overman	Stephenson
Burton	Hughes	Page	Sterling
Cañon	James	Perkins	Stone
Chamberlain	Johnson	Pittman	Sutherland
Chilton	Kenyon	Pomerene	Swanson
Clapp	Kern	Reed	Thomas
Clark, Wyo.	Lane	Robinson	Thornton
Clarke, Ark.	Lea, Tenn.	Root	Tillman
Colt	Lee, Md.	Saulsbury	Vardaman
Culberson	Lewis	Shafroth	Warren
Cunamin	Lodge	Sheppard	Weeks
Dillingham	McCumber	Sherman	White
du Pont	McLean	Shields	Williams
Fletcher	Martin, Va.	Shively	Works
Gallinger	Martine, N. J.	Simmons	
Goff	Nelson	Smith, Ariz.	

The PRESIDING OFFICER. Seventy-eight Senators have answered to their names. There is a quorum present.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. LODGE. Mr. President, I have desired, when opportunity offered, to say something about the international aspects presented by this bill; but I confess that it is rather depressing to be called upon to speak in regard to a bill which is dead. The bill now before the Senate, whatever the fate of a future one may be, is dead. A funeral oration over a departed subject for which I have neither admiration nor respect is not to my taste, nor have I the talent for it.

I say the bill is dead, and I ask the attention of the Senate for one moment to what has occurred. We had a bill presented. In a few days we had a substitute, and the first bill died. Then we had, after a week of debate carried on by Senators on this side, another substitute, the work of the Democratic caucus, and the first substitute died by the hands of its friends. Then came the third; and that, in turn, was killed by a proposition to amend it through the medium of a motion to recommit with instructions in the nature of amendments. And now as to this last bill, with the restoratives administered in the form of amendments, it has been demonstrated that there is not a real majority for it in the Senate. It has been demonstrated on more than one vote.

Mr. President, a great deal has been said about a filibuster. We discussed this bill through long hours of the day—

Mr. GORE. Mr. President—

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Massachusetts yield to the Senator from Oklahoma?

Mr. LODGE. I yield for a question. I do not yield the floor.

Mr. GORE. I should like to propound a question. The Senator states that a majority of the Senate are against the pending bill. I was wondering whether the Senator would be willing to fix a day and hour on which to vote on the bill?

Mr. LODGE. On this bill?

Mr. GORE. Yes, sir.

Mr. LODGE. As it now is?

Mr. GORE. Yes, sir.

Mr. LODGE. No; I do not care to vote on a dead bill.

Mr. GORE. It might possibly be resurrected, Mr. President.

Mr. LODGE. Well, the sooner you resurrect it the better.

Mr. SIMMONS. Mr. President—

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

Mr. LODGE. I do.

Mr. SIMMONS. In view of the statement of the Senator that a majority are against this bill, I desire to ask the Senator if he will agree right now to take a vote upon the motion, which is the pending motion, to recommit with instructions? Then we will determine whether or not there is a majority against it.

Mr. LODGE. No, Mr. President; I agree to nothing about this bill, except that it is bad.

Mr. GALLINGER. And dead.

Mr. LODGE. And dead.

Mr. FLETCHER. May I ask the Senator a question?

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

Mr. LODGE. Certainly; but I am sorry my harmless remarks have caused this excitement. If I can I will answer the Senator's question with pleasure.

Mr. FLETCHER. The Senator will recall that the substitute which was offered to the original bill was pressed for consideration and for a vote, and the yeas and nays have been ordered on that substitute. That, I believe, the Senator says is dead. Will the Senator be willing to test that by a vote in response to the ordering of the yeas and nays?

Mr. LODGE. The first substitute was killed by yourselves; you killed it by offering another substitute.

Mr. FLETCHER. Will the Senator be willing by a vote to bury the substitute which he says is dead?

Mr. LODGE. This bill may be walking about unburied. [Laughter.] I do not say that it is not, but I say it is dead; and everybody knows it is dead.

Mr. FLETCHER. I should like to ask the Senator if he would be willing to bury it by a vote?

Mr. LODGE. No, Mr. President; I prefer to adopt other methods.

Now, Mr. President, I spoke of the filibuster, as it is called. Through long hours of many days we on this side discussed it honestly, and I think vigorously, and then a movement in the nature of a filibuster was introduced against fair discussion of the bill by forcing us to sit all night, when intelligent discussion of any measure is extremely difficult.

I am not going to repeat what has been said by the Senator from New York and the Senator from California—much better than I can say it—to the effect that any method of obstruction was legitimate in view of the methods which have been employed to force this legislation through the Senate. But I wish to call attention to the fact, and it is the undoubted fact, that there never has been a real majority for this bill at any moment in this body. There may have been a coerced majority of one or two at odd times, but there never has been a real, genuine, honest majority for this bill at any moment.

I have watched proceedings in the Senate for a good many years. I never have seen what is called a filibuster successful except in the very closing hours of a short session, when time made it possible to defeat, perhaps, some objectionable provision in an appropriation bill. At all other times, when there was a real, genuine majority heartily in favor, as individuals, of a measure, it never has failed to come to a vote and be passed.

The fact is, Mr. President, the support of this bill is largely artificial, and that is where the weakness of the bill arises. The men in this Senate and in the House who are called upon to vote and carry this bill have not it at heart, any of them, as the Democratic Party, for example, had the reduction of the tariff at heart. That was a real party measure, upon which they agreed. This bill has been put upon us from outside. I am not referring now to the stimulus which has come from the interests of great banking houses and ship companies, both foreign and domestic, in favor of the bill. There you will find, perhaps, the reason for the absolute unwillingness to put in a prohibition of the purchase of belligerent-owned ships, which I believe a majority of both Houses to-day thinks would be a proper thing to do in the present condition of affairs. What I am referring to is the real force behind this bill and the only thing that has brought it here or that has caused the struggle which has arisen in regard to it.

Mr. President, I have never in debate here spoken otherwise than with respect of the Chief Executive of the Nation, no matter whether he was of my party or of another party. I trust I never shall do so. I have too high a veneration for the office which represents the American people as a whole. But, Mr. President, it is absolutely impossible to consider this bill without also considering the Executive influence which has been the great force behind it.

The President has demanded the bill. He has made the bill. He insists on its passage. He is in hourly consultation with Senators, and I have no doubt with Members of the House, in regard to it. He is just as much making the bill as anyone on this floor or in the House of Representatives; in fact, he is doing far more than anyone else.

I desire, in what I am about to say, to speak with the utmost respect, and I do. I trust it will not seem disrespectful when I say that, although President of the United States, the occupant of that office is still merely human, and therefore fallible. The doctrine of divine right and that "the king can do no

wrong" has never yet attached, fortunately for us, to the President of the United States. What his reasons and arguments may be in behalf of this measure I do not know. He has never made more than a few general statements in regard to it. He seems content to stand on the broad and simple proposition, "*Sic volo, sic jubeo.*"

I think when the President is approaching a new subject the first thing he does is to make up his mind, and when his mind is made up the thoughts which in more ordinary mortals are apt to precede the decision or determination of a great question are excluded. Information upon the new subject is looked on as a mere impertinence. When the world was in the first convulsion produced by the outbreak of the war he did not wait watchfully or otherwise, he did not pause to consider conditions or what an adjustment to those conditions after the first shock had passed might bring; he simply ordered this bill to buy the German ships to be produced and passed.

I have been constantly reminded of a little rhyme which we probably all have seen, which was written many years ago—and I quote it without any thought of disrespect, of course—in regard to a celebrated Oxford don. It ran in this way:

My name is Benjamin Jowett;
I'm the master of Balliol College.
Whatever is known, I know it,
And what I don't know isn't knowledge.

[Laughter.]

I think that mental attitude is an unfortunate one in the head of a college, but it seems to me that in the great position of President of the United States it is a very dangerous attitude. A man occupying that high position, or even men occupying such harmless and subordinate positions as we occupy in this body, when called upon to deal with great affairs finds it, I think, the part of wisdom, before insisting on any proposition, to discover what can be said against it, and duly weigh the objections.

One man, we will say a professor in a college, develops a system about finance or the tariff. He goes over it with the utmost care. He gives to it, perhaps, hours of reflection. Perhaps he has not made up his mind about it before he thinks it over, but after full consideration he finds no flaw in the system. He then takes it out and talks it over with a dozen friends, and he hears their objections and perhaps weighs them and considers them. When that process is done, he launches his plan into space, and then it has to meet all the objections there are in the world. That is a very different situation. It is well to remember that fact, and at least to hold an open mind when forcing upon a great country a policy as far-reaching as the one embodied in this bill.

I am now going to deal with only one side of this subject which has been forced upon us in this sudden and violent manner, but that side seems to me the most important.

In the first speech which I made in the Senate in regard to this bill I tried to show, and I think I did show, that the German ships which it is proposed to buy were wholly unsuitable, with very few exceptions, for the alleged purpose of the bill. Incidentally I also pointed out that the purchase of those ships, and the attempt to send them to sea after the transfer of the flag, would certainly bring grave international complications, and in all probability would lead us to the verge of war with the belligerent nations opposed to Germany. On the second occasion when I addressed the Senate I discussed the question of rates, and I think I demonstrated that the figures given in the report of the Secretaries of the Treasury and Commerce, together with some statements in those reports, were not trustworthy. From manifests giving the actual rates paid for carrying the various products during the last five months I showed what the real rates were from the port of Boston and contrasted them with the figures given in the reports of the two Secretaries—figures which seemed to have been taken from the air, as a conjuror appears to pick silver dollars out of empty space. I also, at the same time, endeavored, very inadequately, to discuss this bill from the economic point of view and to point out the true method of building up the American merchant marine in contrast to the utterly false methods proposed by this bill.

To-day I wish briefly to discuss the international law and the precedents which would govern if the Government persists in the intention of buying these German ships or the ships of Austria now laid up in our ports to avoid capture.

Mr. POINDEXTER. Mr. President—

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

Mr. LODGE. Certainly; I yield for a question.

Mr. POINDEXTER. Would it disturb the Senator to state at this point his views and information as to the purposes of the administration of this bill, if it should be passed, in regard

to these belligerent ships? I ask the question for the reason that I hear it stated by a number of Democratic Senators that it is not the intention to buy belligerent ships. My impression was that the whole discussion here, in the early stages of this bill, was based upon the proposition that they did intend to buy belligerent ships.

Mr. LODGE. Mr. President, I am very glad to reply to that question. As I showed in the first speech I made, when this matter was brought up last August and an effort was made to hurry it through in the excitement of the opening days of the war, the Secretary of the Treasury went before the House committee and, under examination, substantially admitted and defended the proposition of buying the German ships. It was so understood by foreign powers; it was so understood in this country; it never has been contradicted officially; it has been defended on this floor in elaborate argument, and no authoritative denial has ever come. The amendment I offered to prohibit the purchase of belligerent-owned ships was defeated in the committee; it was subsequently laid on the table by a vote of the majority. We hear these assertions, "Oh, no; they do not mean to buy the German ships." It has never been stated, though, in any authoritative form. The chief outside resistance to-day to an agreement among our friends on the other side upon a bill which might go through both Houses is to putting in any prohibition against buying belligerent-owned ships.

On a matter of that gravity surely Congress has a right to say that it must not be done. It may seem an extreme statement, but we are a coordinate branch of the Government. We still are so—theoretically, at least. On a subject of this sort if we are of opinion that belligerent-owned ships ought not to be bought—and I believe a majority of the Senate thinks so to-day—such a provision ought to be placed in the bill.

The motive for resisting this prohibition can only grow out of the desire of wishing to have their hands free to buy the German ships if they choose. I say "the German ships"—I should apply it to English ships or to French ships just the same—but we know that these German ships, imprisoned in our ports to avoid capture, are practically the only ships of a belligerent open for sale. That is why I felt from the beginning, and believe to-day, that the great underlying purpose of this bill, as was undeniably last summer, is to buy those German ships. All these vessels, as is well known, are owned by citizens or corporations of Germany or Austria. I do not know that the benevolent intentions of the administration have yet been extended to the Austrian ships. I have not heard of that, but they are here and they probably could be bought, at enormous prices.

Let me pause a moment to say that I have heard it suggested that we ought not to prohibit the purchase of belligerent-owned ships, because it would tie our hands and show that we were giving up a practice in which we had always engaged. Mr. President, no such thing as is here proposed ever was thought of or heard of before. There have been plenty of cases of the purchase of belligerent-owned ships by private individuals among neutrals, but never before has there been an opportunity to convert a belligerent-owned ship into a Government-owned ship, because never before was a Government-owned ship proposed. The difference between the Government-owned ship and the privately owned ship in time of war—indeed, at any time—is as great as that between night and day.

It has also been asserted that the United States has the right to purchase these ships, if it sees fit, without risk of seizure by English, French, or Russian warships. In support of this assertion an opinion was rendered by the Solicitor of the State Department on the 7th day of August, 1914. It is not necessary for me to repeat the admirable analysis of that opinion made by the Senator from New York [Mr. Root], but the last sentence may be quoted.

The Solicitor of the State Department says:

"This memorandum is hurriedly struck off and I have not had time or opportunity to revise it, but it is believed that it correctly presents the status of the question involved."

It was thought at that time—when it was proposed to rush this measure through immediately—that an opinion in favor of our right to buy these ships, transfer the flag, and then operate them was necessary. For this reason the opinion of the Solicitor of the State Department was thrust upon an expectant world, with the statement that it "had been hurriedly struck off." As to the hurry I think there can be no dispute, and as to the opinion itself I think it is possible to show that it is unfounded and erroneous. The rule as to the rights of the citizens or subjects of a neutral power to purchase belligerent ships in time of war has changed from time to time, so that it is impossible to arrive at a true understanding of its present scope and probable operation without adverting to its history, without considering the precedents and prize courts by which it will now be applied and some consequences which may be

expected to follow upon the enforcement of the rule against belligerent vessels directly or indirectly owned or operated by the United States Government, as intended under this bill. The old rule, generally adhered to for many years, if not for centuries, was that the transfer of vessels *flagrante bello* was originally held invalid. In the case of the *Benito Estenger* (176 Supreme Court Reports, p. 578) Chief Justice Fuller says:

Transfers of vessels *flagrante bello* were originally held invalid—

and I think I need not quote any further authorities to prove this unquestioned truth. Of this general rule there have been modifications in various countries. The English and American doctrine, to which I shall presently refer more fully, is very liberal as to the trade of neutrals in ships as in other articles of trade legitimate in time of peace. On the Continent of Europe, however, the case has always been very different. France has held steadfastly, prior to the declaration of London, to the doctrine that all transfers of flag after the opening of hostilities are void.

I read from Hall's International Law, sixth edition, page 499:

Vessels, according to the practice of France, and apparently of some other States, are, however, excepted on the ground of the difficulty of preventing fraud. Their sale is forbidden, and they are declared good prize in all cases in which they have been transferred to neutrals after the buyers could have knowledge of the outbreak of a war. In England and the United States, on the contrary, the right to purchase vessels is in principle admitted, they being in themselves legitimate objects of trade as fully as any other kind of merchandise, but the opportunities of fraud being great, the circumstances attending a sale are severely scrutinized, and a transfer is not held to be good if it is subjected to any condition or even tacit understanding by which the vendor keeps an interest in the vessel or its profits, a control over it, a power of revocation, or a right to its restoration at the conclusion of the war.

This shows in a general way what the practice has been.

In the case of the schooner *Etta*, to be found in the American Law Register, volume 13, page 48, the court says:

The law, however, upon this subject varies in different countries. The seventh article of the French regulations of the 26th of July, 1778, which is still in force—

This was in 1865—

provides that enemy-built vessels can not be reputed to belong to neutrals, unless there is documentary proof found on board that the sale to a subject of an ally or neutral was made before the commencement of hostilities. This regulation is thus defended in a recent French treatise in answer to the question, of what importance it is, whether enemy's vessels have been sold to neutrals before or after hostilities. Belligerents in desiring in maritime wars to appropriate to themselves ships of their enemies do not wish that the latter should, to avoid capture and confiscation, realize the capital which their vessels represent. All enemy's vessels pursued by cruisers and in danger of being captured would take refuge in neutral ports, and in order that they might not be captured their owners would sell them to neutral citizens.

It will be noticed that that statement covers precisely the case of the German ships.

In Lawrence's Wheaton, page 581, in the note, it is said:

There is a distinction between the French law and the English and American, in reference to the transfer of ships during war. The seventh article of the French regulations of the 26th of July, 1778, still in force, provides that enemy-built vessels can not be reputed to belong to neutrals, unless there is documentary proof, found on board, that the sale to a subject of an ally or neutral was made before the commencement of hostilities, and that the act of transfer has been duly registered before the proper officer at the port of departure and signed by the owner or his attorney. This regulation is thus defended in a recent French treatise in answer to the question of what importance it is whether enemy's vessels have been sold to neutrals before or after hostilities.

Then Lawrence quotes the passage which I have just read from the opinion in the case of the schooner *Etta*, and which it is not necessary for me to read again.

Down to the time of the declaration of London the French rule, therefore, was absolute. The Russian rule was the same as that of the French. The court says in the case of the *Georgia* (7 Wall., 43), to which I shall have to refer later:

The question in this case can not arise under the French code, as, according to that law, sales even of merchant vessels to a neutral, *flagrante bello*, are forbidden. And it is understood that the same rule prevails in Russia. Their law, in this respect, differs from the established English and American adjudications on this subject.

But in 1895 the Russians made some modifications of their rules, which is given in Moore's International Law Digest, volume 7, on page 424. It is taken from the Russian Prize Regulations of March 27, 1895, and is as follows:

Merchant vessels acquired from a hostile power or its subjects by persons of neutral nationality are acknowledged to be hostile vessels unless it is proven that the acquisition must be considered, according to the laws of the nation to whom the purchasers belong, as having actually taken place before the purchasers received news of the declaration of war, or that the vessels acquired in the manner mentioned, although after the receipt of such news, were acquired quite conscientiously and not for the purpose of covering hostile property.

It will be observed, however, that this Russian rule goes but a slight distance in modifying the French rule, because it is necessary to show that the sale was not made for the purpose of covering hostile property, something which it would be quite impossible to prove in the case of the German ships which it is proposed by the administration to buy. The rise of Germany

to the position of a great maritime power, with an extensive merchant marine, has been comparatively recent, but it was shown by the Senator from New York in his speech the other day, by quoting from the proceedings preceding the declaration of London, that the German view of the transfer of belligerent-owned ships to neutral flags was substantially the same as that of France and Russia.

I now come to the English and American doctrine, on which I have already read a general statement from Hall's International Law. Without going into the English doctrine, which is like ours, I wish to present certain extracts from our official correspondent on this subject, which show what the attitude of the United States has been.

The subject is considered in section 1188 of Moore's International Digest, volume 7.

I will not go over all the authorities, beginning with Marshall's well-known opinion in the case of Murray against the schooner *Charming Betsy*. They relate entirely to the purchase of belligerent-owned ships by neutral citizens and subjects, resting the right to purchase on the ground of the right of neutrals to trade with belligerents in anything practically, and therefore in ships, and they discuss at great length the question of the bona fides, which must be shown, and the various details which in a given case impugned the good faith or sustained it; but there are one or two extracts at a later time, which I think are worth reading, because they bear, as the Senate will see, more or less directly on the case of the German ships which the administration proposes to buy.

In a letter from Mr. Boutwell, the Secretary of the Treasury, to Mr. Washburn, minister to France, on May 23, 1871, which was sent to Mr. Fish, Secretary of State, on the same day, occurs the following statement:

Can a foreign vessel be purchased by a citizen of the United States? * * *

In reply * * * I have to observe that the natural right to acquire property by purchase has been held by high authority to be unaffected, so far as neutrals are concerned, by the mere fact that a state of war exists between two or more belligerent powers from the citizens or subjects of one of which the purchase is made. Such right is subject, however, to the restrictions imposed by international law, by treaty, or by the belligerent powers, respectively, as to the property of their own citizens or subjects during the existence of such war.

Then, in 1879, Mr. Evarts wrote to Mr. Christiancy, the minister to Peru, on June 20:

It is notorious that a maritime war scarcely ever occurs when at least one of the belligerents does not seek to protect more or less of its shipping by a neutral flag. In some instances this may honestly be done, but sales of vessels of belligerents to neutrals in apprehension of war, or when hostilities may have actually broken out, are always more or less liable to suspicion, and such transactions justify the strictest inquiry on the part of the belligerent who thereby may have been defrauded of his right to capture enemy's property. There are various circumstances tending to show the good faith, or the reverse, of such transfers. Prominent among these is the ability of the alleged purchaser to pay for his bargain.

What I call attention to is the statement of Mr. Evarts, who was one of the greatest lawyers this country has ever had, and a great international lawyer also. His statements justify the strictest inquiry on the part of a belligerent who thereby may have been defrauded of his rights to capture enemy's property.

In a note to the letter, from which I have just read, it is said:

In the case of the *Itata*, which, after being transferred by a Chilean corporation to Mr. Henry L. Stevens, an American citizen resident in Chile, entered Callao under the American flag with a regular clearance from Valparaiso the United States legation at Lima directed the consul to return the ship's papers and cause her to haul down the American flag. Under the suspicious circumstances of the case the action of the legation was approved.

These extracts suffice to show the care with which this question has been treated and the suspicion which attaches always to such sales.

In 1898 Mr. John Bassett Moore, Assistant Secretary of State, and, I suppose I may say, one of the greatest authorities on international law now living, wrote as follows to Messrs. Butler, Notman, Joline, and Mynderes:

In reply to a request for some sanction or approval of the proposed transfer of enemy vessels to a neutral in a blockaded Cuban port in 1898, the Department of State said that it could not give desired permission or concede any privilege, because of transfer from belligerent to neutral in a blockaded port. Vessels might be allowed to sail subject to capture and to adjudication by prize court of bona fides of transaction and of effect, if any, of mortgage, on national character of vessels prior to transfer.

Those extracts which I have read define sufficiently well the American doctrine, and they show with what care it was limited, the suspicion which attached always to the transfer of a belligerent-owned ship to a neutral, and they point out more than once the objection arising in case of a vessel avoiding capture, and they speak of the right of a belligerent to capture a vessel of the opposing belligerent as an uncontested right. The English rule, I suppose, may be said to have been laid

down in the case of the *Sechs Geschwistern* in Fourth Christopher Robinson's reports.

Mr. WALSH. Mr. President—

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

Mr. LODGE. Yes.

Mr. WALSH. Before the Senator passes from the consideration of the American doctrine, I should like to inquire of him whether it is his understanding that the right to buy, assuming that the bona fides of the purchase is established, was ever questioned by any American Secretary of State?

Mr. LODGE. I think it was very much questioned if the ship was one avoiding capture.

Mr. WALSH. That is not the question. Perhaps the Senator misunderstood me. I desire him to assume that there was a perfect bona fide purchase.

Mr. LODGE. I assume that.

Mr. WALSH. Is it the understanding of the Senator that any Secretary of State ever held that, assuming the purchase to have been entirely bona fide—

Mr. LODGE. I think so. I think some of the extracts I have read show that they made an exception in case of ships avoiding capture, and that the sale made, no matter how much in good faith, did not relieve a ship in that condition.

Mr. WALSH. I understand the Senator's position now, but I can not agree with him.

Mr. LODGE. This is the case of the *Minerva*, in which Sir William Scott, afterwards Lord Stowell, laid down the rule:

The first question is whether such a purchase can be legally made. I am not aware of any case in this court or in the court of appeals in which the legality of such a purchase has been recognized. There have been cases of merchant vessels driven into ports out of which they could not escape, and there sold, in which, after much discussion and some hesitation of opinion, the validity of the purchase has been sustained. Such cases, I believe, did occur during the first war in which I attended this court or the court of appeals. But whether the purchase of a vessel of this description, built for war and employed as such and now rendered incapable of acting as a ship of war by the arms of the other belligerent and driven into a neutral port for shelter—whether the purchase of such a ship, I say, can be allowed which shall enable the enemy so far to rescue himself from the disadvantage into which he has fallen as to have the value, at least, restored to him by a neutral purchaser is a question on which I shall wait for the authority of the superior court before I admit the validity of such a transfer.

The English rule, it will be seen from that, is very liberal but absolutely strict in regard to a vessel which had been used for a vessel of war, to which I shall refer again.

The case of the *Sechs Geschwistern* is quoted in the Benito Estenger, and I will read it in Fourth Chr. Robinson, 100. Sir William Scott there said:

This is the case of a ship asserted to have been purchased of the enemy, a liberty which this country has not denied to neutral merchants, though by the regulation of France it is entirely forbidden. The rule which this country has been content to apply is that property so transferred must be bona fide and absolutely transferred, that there must be a sale divesting the enemy of all further interest in it, and that anything tending to continue his interest vitiates a contract of this description altogether.

That is substantially the same as the American doctrine. It is thus apparent that prior to the declaration of London there was no uniformity of rule on the purchase of belligerent-owned vessels by a neutral among the great maritime nations. France and Russia took one view; England and the United States took another. But there was one point on which even then there was uniformity, and that was in regard to vessels of war or which had been vessels of war. Of course under the French and continental rule the transfer of the flag in such cases would not have been recognized for a moment, and if we consider the cases we shall find that the English and American rule in regard to vessels of this character has been the same as that held by France and the continental powers. I take the famous case of the *Georgia*. The *Georgia* had been a Confederate cruiser. She was taken to an English port, dismantled, changed into a merchant vessel, and sold to a British subject. The judgment of the court, which was delivered by Judge Nelson, is so important and covers the case so thoroughly that I should like to have it printed entire with my remarks, if there is no objection.

The VICE PRESIDENT. Without objection, it is so ordered.

The opinion referred to is as follows:

Mr. Justice Nelson delivered the opinion of the court.

It is insisted by the learned counsel for the claimant that all the depositions in the record, except those in preparatory, should be stricken out or disregarded by the court on the appeal for the reason that it does not appear that any order had been granted on behalf of either party to take further proofs. But the obvious answer to the objection is that it comes too late. It should have been made in the court below. As both parties have taken further proofs, very much at large, bearing upon the legality of the capture, without objection, the inference is unavoidable that there must have been an order for the same, or, if not, that the depositions were taken by mutual consent. They were taken on interrogatories and cross-interrogatories, in which the counsel of both parties joined, and among other witnesses examined is the claimant himself, whose deposition, with the papers accompanying it, fill more than one-third of the record.

As respects the vessel, we are satisfied upon the proofs that the claimant purchased the *Georgia* without any purpose of permitting her to be again armed and equipped for the Confederate service and for the purpose, as avowed at the time, of converting her into a merchant vessel. He had, however, full knowledge of her antecedent character, of her armament and equipment as a vessel of war of the Confederate navy, and of her depredations on the commerce of the United States, and that, after having been thus employed by the enemies of this Government upward of a year, she had suddenly entered the port of Liverpool with all her armament and complement of officers and crew on board. He was not only aware of all this, but, according to his own statement, it had occurred to him that this condition of the vessel might afford an objection to her registry at the customs, and before he perfected the sale he sought and obtained information from some of the officials that no objection would be interposed. He did not apply to the Government on the subject.

The claimant states "that he knew from common report she (the *Georgia*) had been employed as a Confederate cruiser, but I thought," he says, "if the United States Government had any objection to the sale they or their officers would have given some public intimation of it, as the sale was advertised in the most public manner." If instead of applying to an officer of the customs for information the claimant had applied to his Government, he would have learned that as early as March 14, 1863, Mr. Adams, our minister in England, had called the attention of Lord Russell, the foreign secretary, to the rule of public law, as administered by the highest judicial authorities of his Government, which forbid the purchase of ships of war belonging to the enemy by neutrals in time of war, and had insisted that the rule should be observed and enforced in the war then pending between this Government and the insurgent States, and also that he had addressed a remonstrance to the British Government on the 9th of May, but a few days after the *Georgia* had entered the port of Liverpool, against her being permitted to remain longer in that port than the period specified in Her Majesty's proclamation. His own Government could have advised him of the responsibilities he assumed in making the purchase. Mr. Adams, after receiving information of the purchase by the claimant, in accordance with his views of public law above stated, communicated with the commanders of our vessels cruising in the channel and expressed to them the opinion that, notwithstanding the purchase, the *Georgia* might be made lawful prize whenever and under whatever colors she should be found sailing on the high seas.

The principle here assumed by Mr. Adams as a correct one was first adjudged by Sir William Scott in the case of the *Minerva* in the year 1807. The head note of the case is: "Purchase of a ship of war from an enemy whilst lying in a neutral port, to which it had fled for refuge, is invalid." It was stated in that case by counsel for the claimant that it was a transaction which could not be shown to fall under any principle that had led to condemnation in that court or in the court of appeal. And Sir William Scott observed in delivering his opinion that he was not aware of any case in his court or in the court of appeal in which the legality of such a purchase had been recognized. He admitted there had been cases of merchant vessels driven into ports, out of which they could not escape, and there sold, in which, after much discussion and some hesitation of opinion, the validity of the purchase had been sustained. But "whatever the purchase of a vessel of this description, built for war and employed as such, and now rendered incapable of acting as a ship of war by the arms of the other belligerent, and driven into a neutral port for shelter—whether the purchase of such a ship can be allowed, which shall enable the enemy so far to secure himself from the disadvantage into which he has fallen as to have the value at least restored to him by a neutral purchaser," he said, "was a question on which he would wait for the authority of the superior court before he would admit the validity of the transfer." He denied that a vessel under these circumstances could come fairly within the range of commercial speculation.

It has been insisted in the argument here by the counsel for the claimant that there were facts and circumstances in the case of the *Minerva* which went strongly to show that the sale was collusive and that at the time of the capture she was on her way back to the enemy's port. This may be admitted. But the decision was placed, mainly and distinctly, upon the illegality of the purchase. And such has been the understanding of the profession and of text-writers, both in England and in this country, and as still higher evidence of the rule in England it has since been recognized as settled law by the judicial committee of Her Majesty's privy council. In the recent learned and most valuable commentaries of Mr. Phillimore (now Sir Robert Phillimore, Judge of the High Court of Admiralty of England) on international law he observes, after stating the principles that govern the sale of enemies' ships during war to neutrals: "But the right of purchase by neutrals extends only to merchant ships of enemies, for the purchase of ships of war belonging to enemies is held invalid." And Mr. T. Pemberton Leigh, in delivering judgment of the judicial committee and lords of the privy council in the case of the *Baltica*, observes: "A neutral, while war is imminent or after it has commenced, is at liberty to purchase either goods or ships—not being ships of war—from either belligerent, and the purchase is valid, whether the subject of it be lying in a neutral port or in an enemy's port." Mr. Justice Story lays down the same distinction in his "Notes on the Principles and Practice of Prize Courts," a work that has been selected by the British Government for the use of its naval officers as the best code of instruction in the prize law. The same principle is found in Wildman on "International Rights in Time of War," a valuable English work, published in 1850, and in a still more recent work, Hosack on the "Rights of British and Neutral Commerce," published in London in 1864, this question is referred to in connection with sales of several Russian ships of war, which it was said had been sold in the ports of the Mediterranean to neutral purchasers, for the supposed purpose of defeating the belligerent rights of her enemies in the Crimean War, and he very naturally concludes, from the case of the *Minerva*, that no doubt could exist as to what would be the decision in case of a seizure. This work was published before the judgment of the privy council in the case of the *Baltica*, which was a Russian vessel, sold imminently bello; being, however, a merchant ship, the purchase was upheld; but, as we have seen from the opinion in that case, if it had been a ship of war it would have been condemned.

It has been suggested that, admitting the rule of law as above stated, the purchase should still be upheld, as the *Georgia*, in her then condition, was not a vessel of war, but had been dismantled, and all guns and munitions of war removed; that she was purchased as a merchant vessel and fitted up, bona fide, for the merchant service. But the answer to the suggestion is that if this change in the equipment in the neutral port, and in the contemplated employment in future of the vessel, could have the effect to take her out of the rule and justify

the purchase, it would always be in the power of the belligerent to evade it and render futile the reasons on which it is founded. The rule is founded on the propriety and justice of taking away from the belligerent not only the power of rescuing his vessel from pressure and impending peril of capture, by escaping into a neutral port, but also to take away the facility which would otherwise exist by a collusive or even actual sale of again rejoining the naval force of the enemy. The removed armament of a vessel built for war can be readily replaced, and so can every other change be made or equipment furnished for effective and immediate service. The *Georgia* may be instanced in part illustration of this truth. Her deck remained the same, from which the pivot guns and others had been taken; it had been built originally strong in order to sustain the war armament, and further strengthened by uprights and stanchions beneath. The claimant states that the alterations, repairs, and outfit of the vessel for the merchant service cost some £3,000. Probably an equal sum would have again fitted her for the replacement of her original armament as a man-of-war.

The distinction between the purchase of vessels of war from the belligerent in time of war by neutrals in a neutral port and of merchant vessels is founded on reason and justice. It prevents the abuse of the neutral by partiality toward either belligerent when the vessels of the one are under pressure from the vessels of the others, and removes the temptation to collusive or even actual sales, under the cover of which they may find their way back again into the service of the enemy.

That the *Georgia*, in the present case, entered the port of Liverpool to escape from the vessels of the United States in pursuit is manifest. The steam frigates *Kearsarge*, *Niagara*, and *Sacramento* were cruising off the coast of France and in the British Channel in search of this vessel and others that had become notorious for their depredations on American commerce. It was but a few days after the purchase of the *Georgia* by the claimant the *Alabama* was captured in the channel, after a short and brilliant action, by the *Kearsarge*. The *Georgia* was watched from the time she entered the port of Liverpool, and was seized as soon as she left it.

The question in this case can not arise under the French code, as, according to that law, sales even of merchant vessels to a neutral, *flagrante bello*, are forbidden. And it is understood that the same rule prevails in Russia. Their law, in this respect, differs from the established English and American adjudications on this subject.

It may not be inappropriate to remark that Lord Russell advised Mr. Adams, on the day the *Georgia* left Liverpool under the charter party to the Portuguese Government, August 8, 1864, Her Majesty's Government had given directions that "In future, no ship of war of either belligerent shall be allowed to be brought into any of Her Majesty's ports for the purpose of being dismantled or sold."

Decree affirmed (7 Wallace, 38-44).

Mr. LODGE. I will not read the whole of the opinion now, but here is one passage to which I wish particularly to call attention:

It has been suggested that, admitting the rule of law as above stated, the purchase should still be upheld, as the *Georgia*, in her then condition, was not a vessel of war, but had been dismantled and all guns and munitions of war removed; that she was purchased as a merchant vessel and fitted up, bona fide, for the merchant service. But the answer to this suggestion is that if this change in the equipment in the neutral port and in the contemplated employment in future of the vessel could have the effect to take her out of the rule and justify the purchase, it would always be in the power of the belligerent to evade it and render futile the reasons on which it is founded.

And holding that view, the court, as is well known, decided that the *Georgia* was good prize.

The case of the *Minerva*, which I have just read, holds precisely the same ground in regard to a vessel of war.

These two cases, and the authorities cited in them, show that the courts held that, speaking broadly, a ship to which anything gave a military character, either past or present, was good prize. It is generally known—in fact, it is notorious—that many of the German ships which it is proposed to buy are auxiliary cruisers of the German Government, built and arranged in such a way as to be of naval service in time of war, prepared to carry guns, and with officers and crews connected with the naval service, as is the case on many of the English ships. These facts would bring many of the German ships which it is proposed to buy within the rule laid down by our own court, and nothing that we could do would efface that character. Therefore, wholly apart from the declaration of London and wholly apart from the differences of opinion as to the rule about the transfer of belligerent-owned merchant ships to neutrals during a state of war, it is clear that all nations have held that ships of the character of these auxiliary cruisers of the German Navy are good prize. If we buy them and put the American flag over them, they are good prize to-day under our own decisions.

I now come to the declaration of London. It is not necessary for me to analyze the discussions which led up to that declaration, for that has been done by the Senator from New York once for all, and he showed from the records beyond the possibility of question that the attitude taken by France, Germany, and Russia was in support, generally speaking, of what may be called the old rule or a very slightly modified construction of the rigid French doctrine. He also showed that Great Britain and the United States maintained the British and American doctrine as I have tried to set it forth, and he further demonstrated that the rules laid down as to the transfer of belligerent-owned ships to neutrals represented a compromise between the English and American views on one side and what may be roughly called

the continental views on the other. The rule of the declaration of London was as follows:

ARTICLE 56.

The transfer of an enemy vessel to a neutral flag effected after the outbreak of hostilities is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

There, however, is an absolute presumption that a transfer is void—

- (1) If the transfer has been made during a voyage or in a blockaded port.
- (2) If a right to repurchase or recover the vessel is reserved to the vendor.
- (3) If the requirements of the municipal law governing the right to fly the flag under which the vessel is sailing have not been fulfilled.

The drafting committee in its report says in regard to the section which I have just quoted:

The rule accepted in respect of transfers made before the outbreak of hostilities is inverted. In that case there is a presumption that the transfer is valid; in the present, that it is void: *Provided*, always, that proof to the contrary may be given. For instance, it might be proved that the transfer had taken place by inheritance.

It is to be noted in the first place that the London rule, while modifying the German, Russian, and French doctrine, also differs radically from what might be called the English and American doctrine. Under the English and American doctrine the sale of a belligerent-owned ship to a neutral was permitted if the intent of the purchaser was bona fide, whereas by the rule of the declaration of London the intent of the vendor, as well as that of the purchaser, must be bona fide. It is true that the declaration of London was never formally ratified by the powers so as to become a binding convention on all the nations taking part in the conference, but it must be remembered that it was submitted to the Senate by the President and that the Senate, on April 24, 1912, advised and consented to its ratification. These facts do not make it binding, because it never became, as I have said, a treaty or convention formally ratified by all the signatories. It merely indicates the acceptance by our Government in all its branches of the rule. But not long after the opinion of the Solicitor of the State Department, to which I have referred, was put forth the British Government adopted the declaration of London, with certain modifications not affecting the rule which I am now discussing, and further directed that—

The general report of the drafting committee on the said declaration presented to the naval conference and adopted by the conference at the eleventh plenary meeting on February 25, 1909, shall be considered by all prize courts as an authoritative statement of the meaning and intention of the said declaration, and such courts shall construe and interpret the provisions of the said declaration by the light of the commentary given therein.

This reference to the report of the drafting committee is of course very important, for it will be observed that the committee, in order to indicate the narrow bounds of discussion in interpreting rule 56, instanced by way of illustration a transfer of the vessel by inheritance as one that would satisfy the rule. This use of a transfer of inheritance, which involves no possible evasive intent of either party, is an indication of the rigid character of the rule, in the view of the drafting committee. The English prize court will of course obey the direction of their Government, which I have just quoted, and will apply the report of the drafting committee in interpreting the declaration of London. In doing so they will be compelled to declare that a neutral, however bona fide his intent, who purchased a ship in a port of refuge would violate the rule of the declaration of London unless he was able to prove not only his own good faith but also the good faith of the former owner in selling the ship, and that the sale was made with no intent to evade the consequences of war.

It is clear that the first clause of article 56 of the declaration of London absolutely covers the German ships. I quote it again:

The transfer of an enemy vessel to a neutral flag effected after the outbreak of hostilities is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

How do the German ships happen to be in our ports, laid up and refusing to sail? They remain in our ports and do not put to sea simply because they have taken refuge in our ports, and they do not put to sea because they wish to evade capture; that is, "to evade the consequences." In the language of the declaration of London, "to which an enemy vessel, as such, is exposed." Without going further, it is obvious that under the terms of the declaration of London every one of those German vessels would be good prize, that France, England, and Russia would not recognize the transfer of the flag, and that if British ships were bought under similar conditions Germany would not recognize the transfer of the flag, but would treat a vessel thus transferred as a British ship subject to capture.

The Senator from Montana, with his usual ability, has demonstrated the English and American doctrine as I have stated it and as it was stated completely in a few lines by the Senator from New York, but his conclusion that England would not suddenly alter her doctrine, held for so many years, seems to me an impotent conclusion.

Mr. President, at the time of the *Trent* affair the first view of England, expressed by Lord Palmerston, when it was thought that the envoys were likely to be seized on a ship then coming into the English Channel, was, to state it roughly, that under the English doctrine, maintained for centuries, they could not object to one of our warships stopping that ship and taking the Confederate envoys out of it. Then came the news of the *Trent* affair; and the Crown officers being called upon to solve it, with a dexterity which sometimes appears in legal minds, put forth the extraordinary proposition that it would have been all right; that it would have been justifiable to take Mason and Slidell if we had taken the whole thing, the ship and everything—that is, the *Trent*—into port. That was a marvelous proposition; and as indignation waxed in England over the *Trent* affair, they deliberately abandoned the doctrine for which they had gone to war in 1812 and adopted the American doctrine, for which we had gone to war in the same year. They changed their mind with great rapidity, and it was in time of peace that they changed it, too. With the people of this country, in the first excitement of the *Trent* affair, when Wilkes was applauded and fêted everywhere, we were all eager to hold the Confederate envoys and justify the act. Thanks to the wisdom of Abraham Lincoln, who said on the first day, when he heard of it, that he was not very well versed in international law, but that it seemed to him that these men were white elephants, and he did not see how he could get away from the American doctrine for which we had fought, the matter was delayed forty days and the men were given back. But I think the American people at that time accepted it with some reluctance. I have always thought that Lowell expressed it rightly in his poem when he said:

We give the critters back, John,
'Cos Abram thought 'twas right.

I think that was the only reason. I do not think the American people believed in it. They would have let their old doctrine, for which we have fought, go just as the English people did in a moment of excitement. This shows how hopeless it is to say that any people would not change a doctrine because they have always held it.

But, wholly apart from this, what is the use of saying that England would not alter her doctrine when she has altered it, as a matter of fact, and when the French, the Russians, and the Germans have not altered their doctrine in regard to vessels imprisoned in a port of refuge, as is the case with the German ships in our ports to-day? It does not matter how much we argue here the other side of these cases or the possibility of other views; the question as to whether those ships shall be treated as good prize under the Declaration of London, and the case of the auxiliary cruisers, under any doctrine, new or old, will be decided by the courts of the belligerents, for we have no international prize court, and our contention at The Hague was that the matter of an international prize court should be optional.

Mr. ROOT. Mr. President, if the Senator from Massachusetts will allow me, I should like to put into the RECORD, in immediate juxtaposition to his suggestion about the prize court being optional, a statement as to the effect and the scope of the option. It was not that the prize court should be optional, but that the character of its jurisdiction should be optional. The original prize-court treaty provided for an international appellate court, to which appeals might be taken from the courts of last resort of the signatory countries, including the Supreme Court of the United States. The Committee on Foreign Relations were of the opinion that there were constitutional objections to our ratifying the treaty which provided that there should be any court, even an international one, more supreme than the one Supreme Court of the Constitution. Accordingly we proposed to the other signatory powers that there should be an option attached to the prize-court provision under which any country, instead of subjecting the decision of our court of last resort in prize cases to an appeal, review, and reversal, might elect to have questions existing taken up and disposed of de novo; not by way of reviewing the courts of the country, but by deciding the question as a separate and independent decision, thus reaching the same result without reviewing the courts of last resort.

Mr. LODGE. I am very much obliged to the Senator from New York for correcting me. I stated it so broadly in a single word that it was liable to just the misunderstanding which the Senator has cleared up.

Mr. ROOT. I ventured to interrupt because I have observed several statements by writers of good repute indicating that they misunderstood the scope of the option.

Mr. LODGE. I am very glad to have it put so explicitly.

It is the exclusive province of the prize courts of the nation of the captor ship to pass upon all questions relating to the lawfulness of the prize.

A British cruiser will not carry her prize into the jurisdiction of the United States, where our courts, if they could entertain such jurisdiction, would determine the lawfulness of the capture by applying our own rule. She will carry her prize to the courts of Great Britain. The declaration of London is the law of those courts.

The same result follows in the case of a capture made by a French cruiser. We know what the rule of that country is, and have known it for a hundred years. By that rule belligerent vessels purchased by a neutral, after notice of declaration of war, are subject to seizure as lawful prize. The prize courts of France have uniformly enforced this rule.

If the United States, after notice of the rule of the prize courts of England and France, chooses to purchase belligerent vessels, it is not likely that the prize courts of those nations will look with favor upon a claim made for the release of captured vessels which were purchased in defiance of the known rule.

That such notice has a very important effect can be readily seen by a reference to *The Georgia* (7 Wall., p. 39), which I have already mentioned.

This vessel, I repeat, had been a Confederate cruiser, was taken to an English port, all her war material was taken off of her, and the vessel was bona fide purchased, without notice, by a citizen of Great Britain and registered under the laws of that nation. I repeat it in order to bring out the point of the notice. She was then captured by a war vessel of the United States and condemned as prize. The United States, however, had previously protested to Great Britain against the purchase of that class of vessels by English neutrals, but knowledge of this had never reached the purchaser.

The Supreme Court of the United States held that the vessel was lawful prize.

I know, of course, that the bill provides for the creation of a corporation in which the United States is to hold a majority of the stock, and in which it will probably hold all the stock, unless interested persons, for illegitimate purposes, take an interest in the guise of minority stockholders. This fiction of a corporation will not alter the character of the ownership. The United States can not prowl the seas under the shelter of a corporation. The United States will own the ships, and they will be the ships of the United States in the view of the American people and of the whole world. The operation of these vessels will be controlled from Washington. The trade in which they engage and their destination will be determined, directly or indirectly, by the President of the United States, just as much as he now determines the movements of the Navy. But these Government-owned merchantmen will be liable to search on the high seas for contraband of war. There is no provision in this bill to prohibit their carrying contraband or conditional contraband of war. They thus become at once liable to the right of search, a recognized right of all belligerents, disputed by no one, and recognized by our Government in the recent letter to Sir Edward Grey. This is a burden that ships engaged in commerce have always borne, even if such vessels have flown the flag of a neutral nation and were, even on the high seas, part of its territory; the fact that they were privately owned has prevented the search from being regarded as an infraction upon any sovereign right. Private ownership has prevented the exercise of this recognized belligerent right from becoming a *casus belli*. Governments have heard and acted upon complaints made by private owners whenever the Governments thought fit to do so, and has ignored them whenever the public interest made that course preferable.

But what will the American people say when a ship purchased with public money and operated under public direction is thus invaded? If the resentment of our people may be expected when these public ships are searched on the high seas, as they certainly will be, what will be their sentiment in the very probable event of the seizure of these vessels as the lawful prize of a British or French captor? What would be the tone of the protest that the people would compel any administration to address to the powers?

It is here that the great peril to the peace of the Nation, which this bill carries, lies. It is this which has caused the intensity of the opposition to the bill. This is no imaginary danger. It is as certain to come as the rising of the sun if the

Government persists in its plan of buying the German ships when this bill becomes law.

The Senator from Missouri [Mr. Stone] the other night made a speech, in which he scoffed at the opposition to this bill on account of the dread of war. He twitted us in his pleasant, playful way with dreading war. Well, Mr. President, I dread war for this country; I dread it profoundly, especially a needless war. I dread war anywhere; it is an awful thing; and I particularly dread war for this country with great powers when we are in a condition of utter defenselessness, and when, instead of trying to better the condition, we are engaged at this moment in the House of Representatives in making economies by cutting off submarines, of all things in the world, and refusing appropriations for airships or aeroplanes—the two great modern weapons of war. When the whole world has been watching their exploits, they are selected as the subject of economy in the House of Representatives to-day.

I do not question, Mr. President, the earnest desire of the administration in favor of peace; I am sure that the President and all his advisers are anxious for peace. I think they have the same dread and hatred of war that I believe every reflecting man must feel.

But look at Vera Cruz. Somebody told the President there would be no resistance at Vera Cruz. There was no need to send expensive envoys to Mexico to bring back a preposterous report like that. Anybody with the slightest knowledge of human nature, and particularly Mexican human nature, knew that an attempt to seize one of their cities by armed force would bring resistance. It might be futile, fruitless resistance; it might be a treacherous resistance, but it would be resistance. It came, and the bloodshed followed. The administration blundered into that miserable business. They did not mean to have a fight at Vera Cruz; they did not mean to sacrifice the lives of American sailors; they did not mean to kill and wound two or three hundred Mexicans, but they created a situation in which they tumbled and floundered into bloodshed.

Now, apparently it is believed that if we buy the German ships or the ships of any other belligerent and put them under our flag no nation would dare to interfere with us. It certainly would be against the interests of any other nation to have trouble with the United States; we are friendly with all of them; they, I hope, are friendly with us, but when you do an act during a great war which is a benefit to one side and an injury to the other, which one side believes to be an unneutral act, if not a hostile act, nations are not accustomed to hesitate. I called attention the other day, and I will again call attention, to the case of the Laird rams. Of course the Laird rams would be no parallel with this; they were ships of war built at Liverpool, but I use them as an illustration of national feeling under the stress of war. We knew the injury those Laird rams would do to us if they were let loose to break the southern blockade; we also knew perfectly well that, if we were to get into war with England, the probability would be that English help to the South would finally break the Union. We knew the enormous danger that beset us in a quarrel with England at that moment, and yet what did we do? We protested and protested again and again against the Laird rams, but still the work went on until Mr. Adams made his famous declaration, which I inadvertently misquoted the other day, when he wrote: "It is superfluous in me to point out to your lordship that this is war," and thereby declared that the American Government would hold that if the English allowed those rams to leave Liverpool it was war then and there.

This Nation was fighting for its life, and was prepared to take every risk conceivable rather than to permit its enemy to be strengthened by the act of a neutral. The nations on either side of the great war in Europe to-day are each one of them fighting for their lives; and if anyone supposes that Germany, on the one hand, or Great Britain, France, and Russia, on the other, are going to stand by in silence and allow this country to change the balance of conditions which war has created, he makes a perilous error. Those people will not measure cost when it comes to a question of aiding their enemies on the one side or the other. We are going to begin apparently by buying German ships; \$20,000,000, \$30,000,000, or \$40,000,000 is to be handed over to Germany, relieving her subsidized steamship companies from a burden of expense and loss, and that great sum of the public money of the United States is to be turned into German coffers.

Suppose we buy British-owned ships, of which the Secretary of Commerce spoke in one of his speeches—perhaps they were only a dream, but he spoke of them to the number, I think, of 16—suppose we should buy those British ships and pay many million dollars for them, do you imagine that Germany would sit by in quiet and allow us to give that aid to British

merchants and indirectly to the British treasury? Neither power would think of doing it. The mere act of buying, even if you left the ships to rot tied up at the wharves, would change the balance of the conditions created by the war and would be a hostile and unneutral act; and then, if you set them afloat and sent them to sea with the American flag over them, it is perfectly clear that the belligerent Governments will not recognize the transfer of the flag, but will regard them as still German ships or British ships liable to capture or to be sunk if they resist. It seems to me insanity to take such a risk as that.

Why, Mr. President, in view of the German declaration about the war zone, we ought not to put any Government-owned ship afloat at this time. I am not discussing the merits of Government-owned ships or State socialism as against individualism. I am only saying that this is no time to put a Government-owned ship on the sea—I do not care where she was procured or who procured her. The German Government has given notice of what they call "a war zone," and has informed neutrals that submarines may be there at any moment to destroy ships venturing into those waters. Suppose that they sent a torpedo into a Government-owned ship. What a situation would be created! The American people naturally would be filled with indignation. Do we want such a situation as that to arise? It seems to me nothing could be worse. We know what these nations think; we know what their prize courts will decide. It is all set forth in their directions to their own courts and in the declaration of London; and we know how they feel. They can not make a protest formally until the overt act has been committed; but warnings have not been lacking. Warnings or statements of how they feel have been presented, formally or informally, to our State Department.

Mr. SMITH of Georgia. Mr. President—

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

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

Mr. SMITH of Georgia. Mr. President, I wish to ask the Senator from Massachusetts what he thinks would be the consequence if a German torpedo should be sent into a vessel manned by American sailors, carrying American citizens, and flying the American flag, even though that vessel was owned by private American citizens or an American corporation?

Mr. LODGE. I think, Mr. President, there is all the difference in the world between that case and a Government-owned ship.

Mr. SMITH of Georgia. I did not ask about the difference. I asked the Senator to tell what he thought would be the consequence of such an act and what ought to be our course?

Mr. LODGE. I think, Mr. President, it would arouse a feeling in this country which I should be sorry to see aroused. We are on good terms with Germany, and I am anxious to remain on good terms with her. I think that such an incident, even in the case of a privately owned ship, would arouse great and dangerous feeling. I think the destruction in this way of a British ship carrying several hundred American passengers would arouse deep anger; but such things can be controlled by Governments. The vessels are privately owned property. Such matters are open to diplomatic discussion; they are open to indemnity; they are open to a thousand channels of escape, which have been used in war time out of mind; but when you pass from the privately owned ship to the Government-owned ship, it is the ship of your Government, of your whole people, which has been destroyed; the Nation is involved, and you create a situation which, despite the remarks of the Senator from Missouri, I do not hesitate to say I dread to contemplate.

Mr. SMITH of Georgia. Mr. President, I wish to ask the Senator if he does not think the sinking of such a vessel would be inexcusable? And if the Senator will permit me, my object especially in asking the question was lest the effect of his argument might seem to be to create the impression that he would palliate the destruction of such a vessel by a German submarine.

Mr. LODGE. Never for a moment, Mr. President, would I palliate such a destruction by any one of the belligerents. Such a notice as that given by Germany threatening the destruction by submarines seems to me monstrous. I do not wish to criticize, and I should not think here of criticizing, in a hostile spirit the act of one power or the act of another with which we are on good terms unless the act wantonly threatened the lives and property of our citizens. When such incidents as those suggested by the Senator from Georgia arise—and I grieve to say they may arise; I hope not—they will be, to my thinking, perilous in the extreme, but they will not be so dangerous to our peace as a similar incident occurring to a Government-owned ship.

Mr. WALSH. Mr. President—

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

Mr. LODGE. I yield.

Mr. WALSH. I desire to direct an inquiry to the Senator simply to understand more clearly the position which he takes. I understood him to say that the declaration of London would be enforced by the English prize courts as the law of England.

Mr. LODGE. It has been so ordered by the Government—

Mr. WALSH. Well, is it the understanding of the Senator—

Mr. LODGE. And they stated that it was to be construed in the light of the report of the drafting committee. The modifications were on other points.

Mr. WALSH. Well, is it the understanding of the Senator that that declaration constitutes accordingly a part of the law of England?

Mr. LODGE. It constitutes to-day the law which they mean to apply in their prize courts. They may go further to-morrow and adopt the French doctrine. There is nothing to prevent it.

Mr. WALSH. I inquire of the Senator because I have on my desk a compilation of the Earl of Halsbury, lord high chancellor of England, a work issued since the declaration of London, in which he unequivocally declares that it is no part of the law of England.

Mr. LODGE. Well, Mr. President, that was long before they adopted it as their law. They have adopted it since the declaration of war.

Mr. WALSH. Well, the Senator ought to advise us how they have adopted it.

Mr. LODGE. They have adopted it by proclamation, by an order in council.

Mr. WALSH. Yes; but is it the Senator's understanding that the privy council makes laws for England?

Mr. LODGE. It is my distinct understanding that the privy council makes orders which the courts obey.

Mr. WALSH. I had an idea that it was the Parliament of England that made the laws of England.

Mr. LODGE. Parliament does make the laws, but that does not prevent orders in council in dealing with foreign nations from being the law of England in those respects until Parliament sets them aside or until they are withdrawn by the council. The Senator is too familiar with our history to question that. We went to war with England because of orders in council in 1812. If they did not have effect in 1812, our ancestors were sadly mistaken as to the situation.

Mr. WALSH. I have yet to find that any prize court of England ever accepted the orders in council as the law of England when Parliament absolutely—

Mr. LODGE. It is the law which governs the courts.

Mr. WALSH. When Parliament refuses to recognize them as a part of the law of England.

Mr. LODGE. Ah, when Parliament refuses to recognize the order in council perhaps that is so; but Parliament has not done so, and will not do so, and these orders in council are in effect now; the courts will decide as the order in council directs, and they will decide in accordance with the report of the drafting committee. This is not new. It has been done again and again.

Mr. WALSH. The Senator, I take it, understands, as I do, that the privy council is just an arm of the executive; and is it the understanding of the Senator that the executive can command the courts of England to construe the law as it sees fit?

Mr. LODGE. I do not know whether it can or not; I know in prize cases it has done so, and that it can and has directed that the prize courts shall follow the declaration of London and interpret it in accordance with the report of the drafting committee of the conference.

Mr. NEWLANDS. Mr. President—

The VICE PRESIDENT. The Senator from Nevada.

Mr. NEWLANDS. Mr. President, I have been absent from Washington during the discussion of this bill. Since my return, I have been engaged in ascertaining what are the matters of difference between the contending forces of the Senate. I find these differences represented on the record by four substitute bills for the bill originally reported by the Committee on Commerce—one substitute offered by the Senator from Florida [Mr. FLETCHER] for the committee, another by the Senator from Massachusetts [Mr. LODGE], another by the Senator from Iowa [Mr. CUMMINS], and another by the Senator from Washington [Mr. POINDEXTER].

I assume therefore that these substitutes fairly represent the differences of view of the Senate regarding this important matter; and what are those differences? These substitutes all seem to be based upon the assumption that it is expedient that

the Government should either construct or purchase ships which can be used either as auxiliary ships in the Navy or in aid of commerce as occasion may require, some of the substitutes covering simply the construction, others covering both the construction and purchase of needed ships, but all apparently recognizing the fact that it is necessary that the Government should act in some way in the acquisition of ships both in aid of the Navy and in aid of commerce.

It is true these substitutes differ as to the form of the transaction. The substitute offered by the committee provides for the acquisition of these ships by a Government-controlled corporation in which it will hold at least a majority or perhaps all of the capital stock, whilst the others provide that the ships shall be directly purchased and owned by the Government itself. This is a mere difference in form as to the transaction. The Government already owns ships which it has acquired by purchase, and owns them in corporate form through its control of the stock of the Panama line. There is no essential difference between ownership by the Government and ownership by a corporation in which the Government owns the control of the whole or a majority of the stock.

What other difference is there? Why, some of these substitutes provide that the Government shall either operate or lease these ships for commercial purposes and others provide that it shall only lease. It seems to me that this is an immaterial difference, and one which could be readily adjusted by the expression of the sentiment of the majority of this body, and that such adjustment would be acquiesced in by all.

From what does the necessity of Government ownership arise? Is it because we lack the necessary supporting ships for our fighting ships in our Navy, or is it because we lack the ships that are necessary and essential to move the commerce of this country? Probably the latter demand is the more insistent now during the existence of this war; but before this war arose the former demand was the more insistent. Why? Because we were engaged in building a Navy, which we intended should be a complete and well-proportioned Navy that could maintain its place in the world's contests in case of war.

Such a Navy should be made up both of fighting ships and of auxiliary ships, the one as essential as the other; auxiliary ships consisting of colliers, transports, dispatch boats, and scouts, without which a navy would be as helpless as an army without a commissary. Yet for years we have been building up a badly proportioned Navy, consisting of splendid fighting ships capable of holding their own anywhere, but without the supporting ships which were necessary to prevent the fighting ships from being driven from the ocean in case of war.

There were two ways of furnishing these carrying and supply ships, the auxiliary ships of the Navy. One was by subsidizing an American merchant marine, whose ships could be called upon by the Government at any time for the purpose of meeting the requirements of the auxiliary Navy. It has been apparent for years that we could not develop a merchant marine unless it were either subsidized or constructed by the United States. The protective system of this country had lifted up the cost of building throughout this country above the international level, so that it required nearly twice as much to build a ship within our boundaries as it would outside, and the protective system had raised the standard of wages throughout the country, and the shipping laws had raised the standard of administration, so that the cost of operating the ships was 50 per cent or more in excess of international standards. It is apparent, therefore, that in an international contest for freight ships constructed in this country under the protective system and operated under the protective system could not compete with the ships of the outside world. It is idle to call upon the patriotism of those engaged in the shipping business to submit to a great sacrifice in order to satisfy the pride of the American people in the development of an American merchant marine.

The Democratic Party has been in full power for two years. Prior to that time the Republican Party was only in divided power; but even when in full power it was not able to establish a subsidized system. Therefore the only thing to do in order to secure the ships necessary to support our Navy in case of war was to have them built by the United States Government. In that connection questions arose as to what would be done with these ships in time of peace, and the obvious suggestion was that in times of peace these ships should be used for commercial purposes, so that they would be, in a measure, self-compensatory in their use.

All these bills recognize, therefore, the necessity of securing ships, either by purchase or by construction or by both, for the purposes of the auxiliary navy; and the commercial use of such ships now becomes accentuated by reason of the fact that the carrying trade of the world has been demoralized by the

war between the carrying nations. We are in the unfortunate position, as the Secretary of Commerce has said, of having a large business and intrusting our delivery wagons to the ownership and control of our competitors. So we have this dual necessity, the necessity of creating a well-proportioned Navy, composed of transports, colliers, scouts, dispatch boats, as well as fighting ships, and the necessity of providing commercial ships, because the delivery wagons heretofore furnished by our competitors are no longer in full operation.

I ask, Mr. President, whether this is not an occasion for patriotic action? Are we to be divided by the contentions which have arisen over this debate in such a way as to prevent us from reconciling our differences and meeting requirements, which we all admit, by some form of legislation?

During the last nine years I have been persistent in urging a naval-auxiliary bill intended to meet the requirements of our Navy, and with the consent of the Senate I will insert in my remarks, in the form of a reprint, certain quotations from proposals made by me upon this subject and certain quotations from the debates. I wish to say that the first proposal which I made was in 1906, in the shape of an instruction to the Committee on Commerce when the ship-subsidy bill, proposed by the Senator from New Hampshire [Mr. GALLINGER] was under consideration—a resolution calling upon the Committee on Commerce for the following information:

That S. 529 be recommitted to the Committee on Commerce, with instructions to report in connection therewith an estimate of the cost of the vessels required for service in the ocean mail lines provided for in section 6, and as to whether it is practicable for the United States Government to construct such ships as a part of the Navy, supplementary to the warships, to be used as colliers, transports, scouts, etc., in the emergency of war; and as to whether it is practicable to lease such ships to private corporations in times of peace for the service of the mail lines contemplated in section 6; and as to whether it is practicable to organize a naval reserve to be enlisted in the United States in the service of such ships whose wages shall be paid three-fourths by the private corporations leasing such ships and one-fourth by the United States Government, such naval reserves to be composed of citizens of the United States or those who have declared their intention to become such and to be subject to the training of naval officers in order to fit them to respond to the call of the Government in case of war, and the rentals received from such ships to form a fund for the gradual enlargement of the number of supplementary ships required by the Navy in case of war, as colliers, transports, scouts, etc., and generally to report the comparative cost of such method of enlarging our merchant marine as compared with the method of subvention provided by section 6.

I have presented the substance of that resolution in various forms of amendment to pending bills since that time whenever this subject matter has come up. In 1908 I presented an amendment to the ship-subsidy bill then pending, and with reference to my remarks upon that occasion the Senator from Maine, Mr. Hale, the chairman of the Committee on Naval Affairs, made comment as follows:

I do not want to interfere with the line of the Senator's argument, but I am very largely in sympathy with him, for he has struck what is the weak point in our entire Naval Establishment, so far as ships are concerned. We are deplorably lacking in the essentials that make a great fleet not only formidable but seaworthy.

The Senator said the other day—and the metaphor was not too strong—that without certain auxiliary ships the great battleships of the United States fleet upon any waters outside of our own waters, in case of any emergency, with war threatened, would be derelicts, and it is too true.

Mr. Hale, proceeding to comment upon the voyage of our great white fleet around the world during Mr. Roosevelt's administration, stated that over three-fourths of the colliers required for that fleet were supplied by foreign countries, and that if a war had arisen the neutral powers could not have permitted the use of those colliers. In his comments he used these striking words:

Mr. President, if when that fleet was ordered on this tour about the globe there had been the least menace of war from any power, no Government owning one of these foreign colliers would have allowed a single ship to be employed by us, and our fleet, magnificent as it is, with any menace of war upon the sky, without these foreign colliers would be as useless and—

"As idle as a painted ship
Upon a painted ocean."

Senator Hale at that time declared to the Senate that in the approaching naval bill he would provide an appropriation for such auxiliary vessels. When the bill came in provision was made for five colliers. Upon my taking exception to so inadequate a performance of the assurance which he had given to Congress, he replied that his disposition was to go further, and the necessity existed for the action, but that he was compelled to meet the condition of the Treasury by economy at that time. He promised, however, to continue the policy of constructing these auxiliary ships.

I regret to say that that policy has not been kept up, that the assurance has been only inadequately complied with and that to-day the American Navy would be in the same condition in

case of war that Mr. Hale described in 1908—our ships would be derelicts and would be as idle as painted ships upon a painted ocean.

Mr. President, we are expending nearly \$150,000,000 annually upon a naval establishment—a naval establishment composed of fighting ships, but ships which would be useless in war unless we provide these auxiliary ships, which are as necessary as the fighting ships. Our Navy is like a man entering into a fight without a leg or an arm; and yet we have been content whilst making these enormous expenditures, the burdens of which are complained of by many of our people, to allow this badly proportioned condition to exist—of a navy composed of splendid fighting ships, but without the ability to sustain itself on the sea.

I presume, Mr. President, that had not this exigency arisen I would have been moving for the next 10 years, if continued life were assured to me, for the establishment of this auxiliary navy. This exigency gives us a striking picture of possible conditions, and has aroused the country, has aroused the administration, and has aroused the responsibility of the party in power. So we are urging a measure that will give us a well-proportioned Navy and at the same time meet the great exigencies which the extraordinary situation of war has created.

Is there any real difference between Senators as to the necessity of the Government purchasing or constructing ships, or both? Is there any real difference upon that question upon this floor? If so, ought not the mere question of form to be disregarded? What difference does it make whether those ships are constructed directly by the Government or by a corporation which the Government controls? And why should there be any serious difference of opinion as to whether these ships should be leased or operated by the Government? Why should we not give both powers; let the Government operate them if it is necessary and expedient, leaving that to the administrative branch of the Government, or let the Government lease them, if it is necessary and expedient, leaving that to the discretion of the executive branch of the Government?

We can certainly guard against any imposition by a lessee by provisions in a lease either fixing the maximum rates or by subjecting the rates to the determination of the Interstate Commerce Commission, thus securing fairness between the carrier and the shipper. Is there any necessity for endless debate upon this subject? Why, the very fact that all these substitutes for the original bill provide either for purchase or construction, and provide either for operation or lease, indicates that the judgment of this body is made up as to the necessity of ownership of the auxiliaries to the fighting ships and the necessity of operation commercially in some form when these auxiliaries are not required for naval purposes.

What difference does it make whether these ships are purchased as a part of the merchant marine or as a part of the Navy, provided the owner is the same? If they are purchased as a part of the merchant marine they will be owned by the Government. If they are purchased as a part of the Navy, they will be owned by the Government, and it is intended that there shall be a shifting use as between commerce and war—in time of war to have them used by the Government, in time of peace to have them used for the peaceful pursuits of commerce.

Why, Mr. President, Congress has already acted in a similar matter on these lines. As I stated, we own ships that are used in commerce to-day through our control of the Panama Railroad Co. Various proposals have been made to increase our operations in that direction.

When the question of Alaska and its development through the construction of a railway was up, an amendment was offered providing for the purchase by the Government and turning over to the Panama Railroad Co. or some corporation created by the Government all ships necessary in transportation between the east and west coast. Why was that favored? Because many feared that the canal would not have a fair show, that the railroads were so organized as to prevent water competition, that they controlled water transportation so as to make competition between the water routes and the railroads difficult and perhaps impossible. Many distinguished Senators upon this floor supported that proposal. Out of 11 votes for that proposal, 2 were upon this side of the Chamber and 9 from the other side. I would like to insert this vote in my remarks.

So nine Members upon the Republican side voted for the ownership of ships by the Panama Railroad Co., a corporation controlled by the Government, and that is substantially our proposal now.

I wish to say frankly that I have always preferred the direct ownership of these ships by the National Government, their acquisition as a part of the auxiliary navy; but that is a mere

matter of form, and as a majority of my associates have adopted a different view I yield to their view in that particular. It is not a matter which involves conviction.

So also in August last, when the Senator from New York, chairman of the Committee on the Panama Canal, had up his bill amending the canal act as to American registry, and I sought to amend it by providing for an auxiliary navy to be employed in time of peace for commercial uses, a change of five votes would have carried my amendment, and more than five of those who voted against it afterwards declared that they would favor it as a separate measure. Many of those who voted for that amendment are opposed to this committee substitute, but surely they are in accord with its general purpose, and further discussion ought to bring us in accord upon the details.

Mr. President, am I to understand that I can print these extracts?

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NEWLANDS. Mr. President, it was not my intention to make a speech. My purpose in rising was simply to obtain permission to publish the record regarding this demand for an auxiliary navy.

Mr. GALLINGER. Mr. President, may I be permitted to ask a question?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. Yes.

Mr. GALLINGER. The Senator and I have had some passages heretofore in reference to merchant-marine legislation, and I have followed the Senator's course with a good deal of interest. The Senator has advocated a great many times precisely what he has called to our attention to-day. The Senator believes now, I think, as he did then, in an auxiliary navy, the building of ships as an addition to the Navy. I will ask the Senator this question: Suppose that we should go into that, under this bill, if it should pass, which it will not probably, does the Senator think it necessary for us to have a shipping board to supervise the building and operation of those ships? With our experts in the Navy Department, and with our experts in our private shipyards, why the necessity for having a shipping board, as provided in this bill? That has not yet been discussed. I have thought I would in the future call attention to it, and I now ask the Senator, who has given much thought to this matter, if he does not think it is unnecessary, and might it not lead to more or less trouble and unnecessary expense to have a board of that kind?

Mr. NEWLANDS. I will state to the Senator from New Hampshire that that provision did not enter into the plan which I proposed originally and which I have been urging for many years. My own idea involved a simpler form and a better one, according to my judgment; but I have not been here during the consideration of this question by the committee and the Senate. The committee came to a different conclusion regarding it, and I have acquiesced in it, because I do not think it is essential. I think a simpler and better form would have been to have built these ships as a part of the Naval Establishment.

So far as my original suggestion is concerned, it provided for a commission consisting of the Secretary of the Navy as chairman, the Secretary of Commerce, and the Postmaster General, my view being that all three of those departments would be interested in the construction of these ships. The Secretary of the Navy would be interested in their construction as a part of the Navy, the Secretary of Commerce would be interested because of their possible commercial use, and the Postmaster General would be interested because of their possible use in opening up new ocean mail routes. Therefore I thought that would be a better method of organization. Then, I thought this commission would be a part of the President's Cabinet, directly responsible to him, and, of course, the Constitution puts upon the President the executive powers of the Government, and I did not feel like taking the exercise of these powers out of the hands of the President. Those were the views I had with reference to that matter, and the views which I still have, but I do not regard the maintenance of those views as essential to the proper carrying out of this policy. I could vote with satisfaction for any of these substitutes, as a step forward in the ultimate solution of this important question, and I see no reason why we should permit ourselves to be diverted from speedy action when in the essentials we are all practically of the same mind.

Mr. President, I shall not dwell longer on this subject. I simply close by saying that I have taken no part in the contention over this matter. I have no particular feeling regarding this legislation except that of interest in a policy which I have for years thought ought to be commenced and maintained. I regret exceedingly that the course of legislation has taken such a turn as apparently to arouse feeling and resentment and pre-

vent the calm and thoughtful consideration which this subject ought to receive at this time from patriotic men.

The matter referred to by Mr. NEWLANDS follows.

APPENDIX.

SHIP SUBSIDY, NAVAL RESERVE, AND AUXILIARY SHIPS.

March 20, 1908.

The Senate, as in Committee of the Whole, having under consideration the bill (S. 28) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce"—

Mr. NEWLANDS. Mr. President, I ask that the amendment which I propose be read.

The VICE PRESIDENT. The Secretary will read as requested, in the absence of objection.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

"That the Secretary of the Navy, the Postmaster General, and the Secretary of Commerce and Labor shall hereafter constitute a commission to be known as the 'Foreign Commerce Commission,' and that they are hereby authorized to provide for the construction, either in the private shipyards of the country or in the shipyards of the Navy, or both, of 27 vessels, not exceeding 6,500 tons capacity each and costing in the aggregate not exceeding \$27,000,000; that such vessels shall be so constructed as to be useful to the Navy as auxiliary vessels, such as transports, colliers, dispatch boats, cruisers, and scouts, and also useful in times of peace in opening up new routes of commerce between United States ports and the ports of South America, New Zealand, Australia, and the Philippines; that such commission make to Congress such recommendations as to it seems advisable regarding the manning of such vessels in whole or in part by the Naval Reserve and the leasing of them so manned in times of peace to shipping companies for the purpose of promoting foreign trade and commerce, and for the incorporation of such shipping companies under national law, and for reports on their operations."

Mr. NEWLANDS. Mr. President, the main purpose of this amendment is to create an auxiliary navy and incidentally to aid in the promotion of foreign commerce. We all know that we lack the ships that are necessary for an auxiliary navy, the useful ships, the indispensable ships, the scouts, the transports, the colliers, the dispatch boats, that are as essential to the Navy as the fighting ships themselves. As it is, we have a splendid Navy of fighting ships, splendidly equipped and splendidly officered and manned, but we lack the essential auxiliary ships that will be required in time of war.

NEED OF AUXILIARY SHIPS.

Recently the War Board was consulted regarding the needs of our Navy in case of a war involving the defense of our insular possessions, and the report of the board was that we would require about 232 ships, of an average tonnage of about 6,500 tons, for use as scouts, transports, colliers, dispatch boats, and so forth.

We all know that we have no such merchant marine as will supply such ships, and we are in this position, that we have the fighting ships that are necessary without the ships that are essential to maintain them in case of war. In case of war these fighting ships would, without an auxiliary navy, be absolutely derelict in the ocean, unable to move. Our Navy may be compared to a man with strong lungs and a strong heart, perfect organs, without legs or arms; or it might be compared to an army without a quartermaster's department or a commissary department.

We need, above all things, a proportionate Navy, one that is perfect in every essential particular, not simply the ships that are necessary for fighting, but the ships that are necessary to sustain the ships that do the fighting, to carry the coal and supplies, to carry the men, to act as scouts, to act as dispatch boats; and without these ships the Navy would be as helpless in case of war as we would be without the battleships or the fighting ships of the Navy.

DIRECT SUBSIDY OR A BETTER METHOD?

Now, the purpose of the amendment is to take a step in the direction of supplying this auxiliary navy. There are two ways of supplying it. One is by general subsidy. The other is by ourselves building, or, at all events, making an experiment in building, this auxiliary navy, either in whole or in part, and the purpose of this amendment is simply to enable this to be done in part. It is estimated by the Senator from New Hampshire that 27 ships, costing on an average about a million dollars each, will be required for this subsidized service. The cost of this service, according to the statement of the Senator from New Hampshire, will be about \$3,600,000 per annum—that is, the cost of the subsidy which the United States is to pay annually for a period of 10 years, making \$36,000,000 in all, and at the end of 10 years we shall have nothing. The ships will, of course, belong to the companies which have constructed them. Whereas if we expend \$27,000,000 in the construction of these ships necessary for this service we will at the end of 10 years own the ships, and we will have expended less money than would be required for the subsidy.

This case does not, then, present the question of Government ownership as such, the question of the construction of ships by the Government for the purpose of engaging in foreign commerce; but it involves the construction of ships that are absolutely essential to our Navy, just as essential as the fighting ships that now exist, and of making them useful in times of peace by letting them out to shipping companies engaged in foreign commerce, and thus making them the advance agents of the foreign commerce which we seek to promote with foreign ports not now connected with this country by direct lines of transportation.

DECLINE OF MERCHANT MARINE.

Mr. President, the Senator from New Hampshire has commented upon the deficiency of our merchant marine; upon its sad decline. We all know, of course, that it has declined, and we all know the reason. We have been intent upon building up domestic production. We have put around the country a high-tariff wall, with a view to keeping out the products of other countries, and with a view to stimulating production upon our own soil and giving our own people the monopoly of that production; and, incidentally, it was hoped that under that process we would be able to reach such perfection in production as compared with the rest of the world that our exports of manufactured products would largely increase. Necessarily, therefore, the shipping in connection with this country, under our policy, must have full outward cargoes of agricultural products and such manufactured articles as we are able to sell in the markets, and must have

little on the return voyage, for the whole policy of the country has been to promote exports and to discourage imports.

It follows, therefore, that any shipping company organized under the laws of this country, and with a view to the promotion of its foreign commerce, must meet this condition; that it must get freights upon the voyage out that will pay the expenses of its comparatively empty bottoms upon the return. It does not present the case of a full ship going and returning. The dominant party has sought and is now seeking to remedy this difficulty by general taxation, by subsidizing these shipping lines, so as to enable them not only to overcome the competition of other countries, so far as the cost of the ship is concerned and so far as concerns the cost of operation, but to overcome the subsidies which are being paid by foreign countries. We have not only to meet their subsidies, but we also have to pay an additional amount to cover the difference between the cost of the construction of the ships and the cost of the operation of the ships, the cost of construction being 35 per cent higher and the cost of operation 25 per cent higher than that of foreign ships.

Now, this is a very hard task. It will be difficult for us to promote our merchant marine in competition with foreign ships for the transportation of freight so long as we adhere to this high protective system that is intended to discourage imports, for such a system of taxation means full vessels only one way.

FAILURE OF SUBSIDIES.

We have tried subsidies. We now have a mail-service subsidy, and the Senator admits its failure, so far as the Pacific Ocean is concerned, and he seeks to increase the subsidy by doubling it in order to meet these conditions, and he says that the service contemplated by this proposed act will cost about \$3,600,000 per annum, or \$36,000,000 for the 10 years. He cites us to the fact that since the failure of the last bill which he presented—the ship-subsidy bill of two years ago, I believe—one American shipping company, the Oceanic, engaged in the carrying trade to Australia, has gone out of existence, and it is only fair to assume that under these conditions there will be a further decline in our merchant marine on the Pacific Ocean.

We know that for a long time the Oceanic Steamship Co. was engaged in trade with Australia under a subsidy which gave her \$2, I believe, per mile for the voyage out, as a mail subsidy. At the time the last shipping bill was under consideration the report of that company showed that in that service they used three ships of about 6,500 tons capacity, and the operating expense for these three ships was a little less than \$1,500,000 per annum, or about \$485,000 for each ship. The loss in operation alone, notwithstanding the subsidy, was about \$66,000 per annum, or \$20,000 per annum for each ship, and estimating the loss of interest on the investment, the depreciation, the insurance, the taxes, and so forth, the average annual loss was \$373,000 for the three ships, or \$125,000 for each ship.

I assume that that company was as economically administered as any company can be under existing conditions, so we have to assume that the loss of every ship engaged on the Pacific Ocean will be \$125,000 per annum, and that we must overcome by a subsidy. So I am inclined to believe that the subsidy granted by this measure will not be sufficient to encourage our merchant marine on the Pacific.

COST OF GOVERNMENT TRANSPORT SERVICE.

I have been curious to know, by way of contrast, what has been the experience of our own Government in the Pacific Ocean service. It is well known that we have a service of transports running from San Francisco to the Philippine Islands, and in that service there are four ships, the *Logan*, the *Sheridan*, the *Sherman*, and the *Thomas*, each of about 5,500 tons capacity, approximating thus the three ships used in the Australian service. I find that the initial cost and the cost of converting these ships into transports was approximately \$1,000,000 each, just about the amount paid by the Australian service for the three ships which they use. I find that the average expense per annum of operation and repair for each ship to the Army has been about \$267,000, as against \$486,000 for each of the ships of the Oceanic Steamship Co. engaged in the Australian service.

I have received these figures only within a few moments, and it is difficult for me to say what the cause of this enormous difference is, unless it be that the transports engaged by the Army are slower in speed, and hence less coal consumption is required. But you will observe that according to these figures the annual cost of operating a ship in the Army transport service on the Pacific Ocean is just a little over one-half of the cost of operating each one of the ships engaged in the Australian service and in the ownership of a private company.

I cite this for the purpose of showing that the Government can do this work efficiently and economically. The Government is now engaged in the shipping business. The Government now has 10 transports or more, the history of 4 of which I have given, and the Quartermaster's Department has in repeated reports to Congress insisted upon it that it would be unwise in the extreme for the Government to abandon the use of these transports.

Mr. President, the Senator will bear in mind that my amendment does not propose that the Government shall run these ships as commercial ships. My proposal is that they shall be constructed as a part of the auxiliary Navy, and constructed in such a way as to be useful on the new lines of transportation which we are projecting, and that in time of peace they should be let out to private companies upon such terms as can be secured, manning them so far as we can with the Naval Reserve, so as to make each ship a training school for our Navy, and manning them wherever practicable with the surplus officers of our Navy itself, officers who are being educated and turned out every year from the Naval Academy.

In that way, it seems to me, we will simply have a floating training ship for men absolutely essential for our fighting ships. We know that one of the difficulties now with the Navy is that it is difficult to secure the men who are necessary for the fighting ships. One of the great pleas made for the organization of a merchant marine and for the subsidizing of a merchant marine is that it is absolutely essential that we should train American citizens for the sea who can come to the rescue of their country in time of war and man the fighting ships of the Navy.

A DEFINITE PROGRAM PROPOSED.

Now, Mr. President, I can hardly hope that this amendment will be adopted as a substitute, but I suggest that he might add this as a section to the pending bill. We need more than 27 auxiliary ships for our Navy. The war board say we need 232. The Senator's bill proposes to provide for about 27 ships in private ownership that are to be subsidized. I will ask the Senator whether he would be willing to have this offered as an additional section, so that we will have

these two systems on trial, side by side, one the subsidizing of ships in private ownership upon the ground that they are needed in the promotion of the mail and commercial service and in time of war as auxiliary vessels of our Navy, and the other the Government ownership of these ships as a part of the Navy, and their incidental operation by private companies in time of peace and in the conduct of these scouting expeditions for commerce, in the hope that they will establish a business which will hereafter be taken up by American steamship companies without subsidy. I ask the Senator whether he would favor adding to the bill this section providing for the construction of 27 ships, or for any lesser number—three or more?

Mr. GALLINGER. Mr. President, I will be entirely frank with the Senator from Nevada. I agree with him that we ought to have more auxiliaries than are provided for in the bill. We ought to have had colliers enough to have accompanied our fleet in its marvelous voyage that is being made. We have them not. But I have an impression that upon consideration the Senator from Nevada will agree with me that this is not quite the place to legislate along those lines. If the Senator will assist those of us who are in favor of the bill now before the Senate to pass it and make what I think is a very desirable start in the direction of rehabilitating the American merchant marine, the Senator can then either move an amendment to the naval appropriation bill or present a separate bill, which will have consideration on its merits. I hope the Senator will not try to embarrass this bill with the amendment that he suggests.

Mr. NEWLANDS. Mr. President, I have no disposition to embarrass this bill or to delay the Senator in securing a final vote upon it, but I regard the suggestion that I have made as of value, both in protecting our Navy and in promoting our commerce, and as the present is the only opportunity I have of pressing this view, in an amendment that is undoubtedly germane, I am inclined to press it by argument at least.

A FOREIGN COMMERCE COMMISSION.

Now, let me make another suggestion to the Senator from New Hampshire, if he is willing to acquiesce in that, and that is that the portion of this amendment which provides for the creation of a commission, to be known as the "foreign commerce commission," should go in as an amendment to the bill. The amendment provides that the Secretary of the Navy, the Postmaster General, and the Secretary of Commerce and Labor shall hereafter constitute a commission, to be known as the "foreign commerce commission."

Then, leaving out the provision for construction, it would provide that such commission shall make to Congress such recommendation as to it seems advisable regarding the manning of such vessels subsidized under this act, in whole or in part, by the Naval Reserves and for the incorporation of such shipping companies under national law, and for reports as to their operations.

Now, Mr. President, we would have three Secretaries dealing with this question.

Mr. HALE. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Maine?

Mr. NEWLANDS. Certainly.

Mr. HALE. I do not want to interfere with the line of the Senator's argument, but I am very largely in sympathy with him, for he has struck what is the weak point in our entire Naval Establishment, so far as ships are concerned. We are deplorably lacking in the essentials that make a great fleet not only formidable but seaworthy.

The Senator said the other day—and the metaphor was not too strong—that without certain auxiliary ships the great battleships of the United States fleet upon any waters outside of our own waters, in case of any emergency, with war threatened, would be derelicts, and it is too true.

Mr. BURKETT. Mr. President—

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

Mr. HALE. I—

Mr. BURKETT. I wish to ask a question right on that point, if the Senator will permit me. At the end of the Spanish War I remember the Secretary of the Navy reported that we had, I think, 36—possibly 44—of these auxiliary cruisers and transports, and the War Department had the other number, whichever it was, 36 or 44. I remember that the number was reported to Congress. What became of these transports and auxiliaries?

Mr. HALE. The auxiliary force, Mr. President, that was improvised—I use that word, because it was not much more permanent than an improvised force—consisted, with but few exceptions, of transitory ships, yachts, small cruisers that were to be used for the emergency along the coasts and in the Caribbean Sea; but when the war ended they were found to be of little use. They made up an aggregate, and I have looked over the list time and again. Most of them were of no account and have gone out of use and are good for nothing to-day and would be good for nothing in any case of emergency.

Mr. President, it is a melancholy spectacle that this great fleet of ours in this regard presents to-day. It is the greatest fleet of great and formidable ships that the whole world has ever seen. It is completely manned. It is in every respect except one the most magnificent and formidable fleet of ships that any nation has ever put upon the waters of the globe.

Admiral Converse, who knows it root and branch, has so told us, and he is right. But this great fleet, which has been sent upon its voyage around the globe, is to-day absolutely dependent upon its motion, upon its existence as a moving fleet, on the indulgence of foreign powers.

I have here, Mr. President, a list of the colliers, without which a ship and a fleet can do nothing, that are to-day in attendance upon this fleet. There are only nine of our own. There are chartered from foreign owners attending this fleet of ours, enabling it to move, making it a movable fleet, 28 foreign colliers. I have a list of them here—I will put it in the RECORD—ranging from 4,000 to 6,000 and odd tons each.

The list referred to is as follows:

Coal for the fleet going to the Pacific.

Government-owned colliers:	Tons.
Ajax to Rio with.....	4,800
Brutus to Rio with.....	3,800
Nero to Rio with.....	3,500
Abarenda to Rio with.....	3,500
Hannibal to Trinidad with.....	2,000
Leonidas to Trinidad with.....	2,000
Marcellus to Trinidad with.....	2,000
Sterling to Para with.....	2,000
Cesar to Rio with.....	2,800

Chartered foreign colliers:

	Tons.
Fortuna to Trinidad	4,224
Athalic to Trinidad	2,787
Kassala to Rio	5,150
Ellaline to Punta Arenas	5,449
Janana to Punta Arenas	5,627
Ripley to Punta Arenas	5,073
Towergate to Punta Arenas	5,166
Hector to Callao	5,600
Hermiston to Callao	5,392
Earl of Douglas to Callao	5,361
St. Andrews to Callao	4,351
Falls of Orchy to Callao	5,714
Allenton to Magdalena Bay	6,321
Otterburn to Magdalena Bay	6,000
Strathgyle to Magdalena Bay	5,308
Needles to Magdalena Bay	6,001
Baron Androssen to Magdalena Bay	6,002
Strathgyle to Magdalena Bay	5,367
Agapanthus to Magdalena Bay	4,832
Cape Finistere to San Francisco or Mare Island	6,510
Livingstonian to San Francisco or Mare Island	5,404
Guernsey to San Francisco or Mare Island	6,156
Earl of Carrick to San Francisco or Mare Island	4,940
Carlton to San Francisco or Mare Island	6,530
Inverkip to San Francisco or Mare Island	5,955
Braemont to San Francisco or Mare Island	4,808
Amberton to San Francisco or Mare Island	5,373
Madura to San Francisco or Mare Island	5,500

Mr. HALE. Mr. President, if when that fleet was ordered on this tour about the globe there had been the least menace of war from any power, no Government owning one of these foreign colliers would have allowed a single ship to be employed by us, and our fleet, magnificent as it is, with any menace of war upon the sky, without these foreign colliers would be as useless and—

"As idle as a painted ship
Upon a painted ocean."

We do not realize this, Mr. President. I go further. If any complication should arise in the voyage of the ships, any danger, any menace of war in a foreign power, I do not know but that every foreign power represented in the ships which we have hired would feel compelled to withdraw them from the association of the fleet, and we would be hung up.

It is not, Mr. President, an agreeable thing to contemplate. We go on year after year building up and accumulating these immense ships at an enormous expenditure, and find ourselves, as we would in any emergency for which the ships are built, without a thing being done that makes the ships formidable as a fleet at sea. The Senator is right in his theories. There ought not to be another ship added to the American Navy until we add something that every other power has done to make the ships formidable in case of an emergency.

My colleague is right; the Senator from New Hampshire is right; we can not do it here. I do not think the Senator from Nevada wants to embarrass this bill; but when we come to the consideration of the naval appropriation bill I hope the Senator from Nevada and the Senator from New Hampshire and the Senator from Maine, my colleague, and every thoughtful, patriotic Senator will join with me to try and see that something is done in this entirely neglected field that we have rashly and in the most foolhardy way neglected and abandoned in the past. Otherwise, Mr. President, if there is any call for the big ships, and they are to protect us in case of possible war, they are absolutely worthless unless we have something with which to build up an auxiliary fleet and to supply the ships that will enable them to move in the waters of the globe. Without these foreign ships, these colliers, Mr. President, we not only could not have gotten around Cape Horn, but we could not have gotten beyond the Caribbean Sea. Nobody has seemed to realize that. But when we come to the naval appropriation bill this matter will be laid before the Senate, and we will be made to consider what are the actual needs of the American Navy.

The trouble is, setting aside the question of price, that we have been deficient in just what the Senator from Nevada says, in not doing what other powers have done with auxiliary ships and colliers to make their fleet formidable.

I went over, Mr. President, on the great *Lusitania* on her first trip eastward, and I found then that the British naval administration had shortened their policy, as they have in regard to having more big ships, and have put into that auxiliary cruiser a million and a half pounds sterling to make her a formidable auxiliary cruiser, built so that she could be used in case of emergency as a transport or auxiliary cruiser, and fitted out with small armament so as to make their battleships more formidable. I took a lesson from that. I realized then, as I never had before, how lamentably deficient we have been by reason of the fact that we have been going on and piling up big ships and doing nothing to make them of any use in time of war.

PROMOTION OF FOREIGN COMMERCE.

Mr. NEWLANDS. Mr. President, I am very glad to know that the Senator from Maine, the chairman of the Naval Committee, is impressed with the fact that our Navy is not a well-proportioned Navy; that, while it has splendid fighting ships, it lacks the auxiliary ships that are absolutely essential to the operations of the fighting ships.

The Senator appeals to me not to embarrass this bill and not to delay it. I have no disposition to either embarrass or delay it. There will certainly be a vote to-day upon this bill, and I should like to press certain amendments which I think will serve the Senator's purpose as well as that which I have in view.

As I stated a few moments ago, I do not expect the Senator from New Hampshire to agree that this amendment shall be accepted as a substitute, nor do I expect him to agree that it shall be accepted as an addition to the bill; but it does seem to me that this amendment provides for certain machinery in the creation of a foreign commerce that will be of great service to the country in securing essential data upon this question, in forming the plans, and in making the estimates of the operations that are necessary to coordinate the different branches of the Government interested in our merchant marine in such a way as to make our appropriations here effective for every possible purpose which we can have in view.

We have three purposes in view. One is to increase our auxiliary ships as a part of the Navy; the other is the promotion of foreign commerce; the other the promotion of our mail service. We have three departments that are connected with those questions—one the

Navy Department, one the Department of Commerce and Labor, and the third the Post Office Department. The naval service, the Postal Service, the commercial service of the country are all interested in the development of a merchant marine, and it seems to me to be of the highest wisdom to bring the chiefs of those departments into a commission and charge them with the duty of making recommendations to Congress that will serve the Nation's purpose in the advancement of our foreign mail service, in the advancement of our foreign commerce, and in the increase of our auxiliary navy.

NATIONAL INCORPORATION OF CARRIERS ENGAGED IN FOREIGN COMMERCE.

There is another thing I have in view, and that is this: We have been in the habit heretofore of making appropriations in the shape of subsidy without having any control, or very little control, over the corporations that are subsidized. I have for a long time been pressing before the Congress of the United States the national incorporation of the great trunk lines through which railways existing in the various States can be consolidated and made to serve great national purposes as well as to continue to serve the State purposes for which they were organized. Objection is made upon the other side of the House, often because they think it involves possibly too much control over the railroads, whilst on this side objection is made to it because they regard it as an invasion of State rights. I do not wish to press that question or to argue it now, but I wish to suggest to my friends upon this side that foreign commerce is exclusively within the control of the Nation, and that no question of State rights or State control can present itself that the Postal Service is exclusively within the control of the Nation, that the naval service is exclusively within the control of the Nation, and that if this Nation is a sovereignty it has the right to create the artificial beings that are to promote these various services. I think it of the highest unwisdom to subsidize any corporation for national service unless it is incorporated under national laws.

We have no national law of incorporation for shipping companies. As it is, any organization of men seeking to enter into a service exclusively within the control of the Nation is compelled to go to an individual State for the purpose of obtaining a charter that will enable it to act as an artificial being. We ought to have a national incorporation law for shipping companies engaged in foreign commerce, and my amendment provides that this commission shall consider the formation and the framing and the recommendation to Congress of a national incorporation law. If we are to subsidize these corporations, we should have them under constant supervision and, in a measure, under the control of the Nation. Such national corporations could be compelled to make their reports to this foreign-commerce commission, just as the railroads engaged in interstate commerce, even though they be State corporations, are compelled to make reports to the Interstate Commerce Commission. Furthermore, when we have a foreign-commerce commission organized, they can scrutinize the operation of these corporations, whether subsidized or not, and, if subsidized, they can present to Congress the facts that are essential that Congress should know in order to legislate wisely upon this subject. As it is, none of us really know whether the complaints of shipping companies subsidized by the Nation are well founded or not, because we have not had the machinery essential to give us the facts upon which to base a judgment. This very Oceanic Steamship Co., which, with a splendidly equipped marine service, entered upon the experimental work of opening up a line of traffic to Australia, has made statements year after year to Congress, claiming that, notwithstanding the subsidy received, it was subjecting itself to a loss in the operation of that line, and I believe that the majority of Congress disbelieved the statement; and yet their statement was vindicated, for only a year ago they went out of the business, and these three splendid steamships are now, I am told, laid up in the harbor of San Francisco.

It seems to me that it will be a very easy matter right in this bill to take these three coordinate branches of the Government, each separately considering questions intimately related to the ocean service, that we should set their intellects and their energies to work with a view of elaborating a system that will be as perfect a means of information to the Government upon all these questions as the Interstate Commerce Commission is to-day, and that we should provide a method of incorporation by the Nation that will compel reports and give us exact statements of the operations of these companies, so that we can know whether or not these subsidies are essential to their existence, whether they should be increased upon their request, or whether they should be diminished when sufficient profits appear.

SUBSIDY SYSTEM A VICIOUS ONE.

So far as I am concerned, I am opposed to a system of subsidy, for whilst I realize that some form of Government aid is absolutely essential to the creation of a merchant marine, I think that the system of subsidy will create evils greater than those which now exist, and that they will bring into our halls and corridors an importunate class of men demanding, day after day, increasing legislation in their interest, and that they will be active politically throughout the entire country, advancing the election of those who favor their projects and opposing the election of those who are opposed to them, and that we will stand in danger of increasing the favored classes of this country, whose operations are gradually changing our Government from a pure democracy into an arrogant plutocracy.

I wish to see the merchant marine advanced, and I wish to see the Navy advanced, and I wish to see a proportionate Navy, and I wish to see a proportionate merchant marine; and inasmuch as these lines that are now projected are mainly experimental, as these ships which it is proposed to subsidize by this bill are to be made the advance agents of commerce with foreign ports—the drummers of commerce—and inasmuch as we need in order to make a proportionate Navy a large number of ships and transports and colliers now lacking, ships that we can not secure in case of war from our coastwise service and ships which it may be impossible to secure from neutral powers in case of war; and inasmuch as these ships will serve all purposes—will serve the purposes of the Navy, will serve the purposes of the merchant marine, will serve the purposes of the Postal Service—and inasmuch as they can be used in time of peace for postal and commercial purposes, I do not see why we should not construct some of them and enter upon the experiment.

We need more ships than this bill provides for. It provides for only 27. The war board has declared that 232 are now needed; that if we were forced to defend our insular possessions against any great power we would be compelled to have, in order to make an efficient defense of those island possessions, in order to transport troops and munitions of war and to supply scouts and cruisers and dispatch boats, 232 ships, costing on an average a million dollars each. We have not them within reach, so far as the merchant marine is concerned. In order to bring

into being 232 ships of that kind in our merchant marine, we would have, according to the experience of the Oceanic Steamship Co., to subsidize each one to the extent of from \$150,000 to \$200,000 annually, involving an annual expenditure of from \$40,000,000 to \$60,000,000. That is out of the question. Whatever subsidy we have here will be absolutely inadequate to supplying the country with the auxiliary navy that is required.

We are expending to-day \$100,000,000 annually upon the Navy, and we are creating a disproportionate Navy, a Navy like a man with one muscle enormously developed and all his other muscles withered and shrunk.

What is a wise thing for us to do? To take from \$20,000,000 to \$25,000,000 of that \$100,000,000 annually and apply it to making a proportionate Navy and stop the construction of these great fighting ships, either in whole or in part, until the Navy becomes a thoroughly proportioned Navy.

TRAINING SHIPS FOR NAVAL RESERVES.

More than this, when we subsidize these ships we do not place them under sufficient control so far as the Naval Reserve is concerned. The Naval Reserve is just as essential to the Navy as the men who are actively employed on the fighting ships themselves. It is necessary for us to have a large force of men from whom we can recruit in case of war, and so we have organized a Naval Reserve—not a sufficient Naval Reserve, but a reserve totally inadequate as compared with that of England and other powers—and how are we to train this Naval Reserve? We have no ships upon which to train them; and when you provide for this subsidy, do you provide for the training of a Naval Reserve? No; the only provision you have in this bill is that each ship will carry six naval cadets. It seems to me that if we own these ships that we can man them, that we can make them a training school for our Navy; that we can provide them with officers who are unable to get commands in the fighting ships now, and who are drifting into civil life; that we can man them with men who will become trained men in case of war, so that they can be transferred from the auxiliary ships to the fighting ships in an emergency, and that we will have a thorough and perfected system for that purpose. Such a Naval Reserve will simply, during times of peace, discharge the duties that are discharged by men employed in the merchant marine. There should be at least one naval officer upon every such ship engaged in the commercial service, constantly training the men and keeping them in condition of discipline that will fit them for the fighting ships when actual warfare comes.

So it seems to me, if the Senator will permit me to say, it would be a wise thing now, at this session—and I should say upon this bill—to provide at least for coordinating these three departments into a foreign commerce commission that will give us their united judgment regarding the action that the Congress of the United States should take upon the important question of promoting all these three services—the foreign commercial service, the foreign postal service, and the naval service—and that we provide above all things for the national incorporation of services that are purely engaged in national work and not permit these shipping companies to go to the State of least public virtue for charters to enable them to operate upon the high seas.

If you are to subsidize these ships, make them the instrumentalities of the Nation by incorporating them under national law. If you are to subsidize them, demand annual reports, institute constant investigation of their operations, so that we may know whether these subsidies are necessary or whether they are pure gratuities, and abandon altogether the loose legislation of the past, which has resulted simply in the United States granting aid without proper restriction and control. I will submit to the Senator from New Hampshire later on what I regard as a moderate amendment, making no appropriation, but organizing this commission and giving it the power to consider the question of a national incorporation act for the shipping companies engaged in this commerce, and to report their recommendations to Congress.

April 27, 1908.

The Senate, as in Committee of the Whole, having resumed the consideration of the bill (S. 28) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce"—

NEED OF AN AUXILIARY NAVY.

Mr. NEWLANDS. Mr. President, when the Senator from New Hampshire [Mr. GALLINGER] in 1905 was pressing with great vigor the ship-subsidy bill, which had been reported by the Committee on Commerce and which had been approved by the Merchant Marine Commission that had been in session for some time, my attention was for the first time called to the fact that our Navy was a disproportioned navy; that whilst it had a great force of fighting ships which could maintain themselves successfully as fighting ships, they lacked the supporting ships so necessary in case of war—the colliers, the scouts, the transports, the dispatch boats, the tugs, and other vessels constituting an auxiliary navy and just as essential to the success of a fighting force as the fighting ships themselves.

That view was set forth in a report prepared by the General Board of War of the Navy, over which Admiral Dewey presided, a report which was prepared for the Merchant Marine Commission at the suggestion of its chairman and presented by him with a view to supporting a ship-subsidy bill then before the Senate. The question was asked the War Board as to what vessels would be necessary as an auxiliary navy in case of war, and their reply is contained in a document, which I shall ask to have printed in the Record—that about 200 ships, costing on the average, I believe, about \$1,000,000 each, would be necessary in order to support the fighting ships of the Navy in case of war, particularly if that war were such a war as endangered the retention of our insular possessions.

I then sought to have an amendment in the nature of a substitute acted upon by the Senate providing for the immediate construction of about 32 ships, costing a million dollars each, which I claimed could serve a double purpose. On the one hand, in case of war they could act as transports, colliers, or scouts in the Navy, and in times of peace they could be used as training ships for our Naval Reserve, and also in opening up new routes of mail and commerce to South American, Australian, and oriental ports. The Senator from New Hampshire at that time was contending that 32 vessels were necessary for that service, and he sought to secure them by a subsidy, which it was estimated would in a period of 10 years aggregate an expenditure upon the part of the National Government of about \$32,000,000.

I insisted upon it that if that expenditure was necessary in the interest of commerce, if it was necessary in order to promote commerce with those ports, the United States Government should subsidize American ships for 10 years to the extent of \$32,000,000, it would be a wiser

policy for the Government itself to construct the 32 ships as a part of the auxiliary Navy, holding them for use as training ships for our Naval Reserve, manning them in large degree with our Naval Reserve and turning them over in times of peace under lease to shipping companies, who could themselves open up these new routes of commerce and of mail. I contended that at the end of 10 years, if we pursued the system of subsidy, the Government would own nothing; but if we pursued the system of ownership, the Government would at the end of 10 years have the 32 ships into which its \$32,000,000 had gone. I insisted upon it that we could accomplish a double purpose—promote commerce with other nations, open up new commercial regions with which it is our desire to connect ourselves, and establish training ships for the sailors whom it is our desire to train for our Navy, and have, at the same time, these ships in reserve in case of war for use as an auxiliary Navy such as I have described.

I presented the same view later on in the dying hours of the ship subsidy bill, and recently, in a few remarks on the 20th of March, when the Senator from New Hampshire was presenting another subsidy measure involving simply a mail subvention, I presented an amendment, not in the hope of securing its passage, but with a view of bringing to the attention of the Senate the importance of this question, the importance of establishing a well-proportioned Navy, not a lopsided Navy, composed only of fighting ships, but a Navy including also other ships absolutely essential to support and maintain the fighting ships in case of war. My voice was raised here, without an echoing note anywhere, until finally the Senator from Maine [Mr. Hale] raised his voice, and I propose to quote his words briefly. Whilst I was on the floor the Senator from Maine interrupted me and said:

"I do not want to interfere with the line of the Senator's argument, but I am very largely in sympathy with him, for he has struck what is the weak point in our entire Naval Establishment, so far as ships are concerned. We are deplorably lacking in the essentials that make a great fleet not only formidable but seaworthy."

"The Senator said the other day, and the metaphor was not too strong, that without certain auxiliary ships the great battleships of the United States fleet upon any waters outside of our own waters, in case of any emergency, with war threatened, would be derelicts, and it is too true."

In another place the Senator from Maine said:

"Mr. President, it is a melancholy spectacle that this great fleet of ours in this regard presents to-day. It is the greatest fleet of great and formidable ships that the whole world has ever seen. It is completely manned. It is in every respect except one the most magnificent and formidable fleet of ships that any nation has ever put upon the waters of the globe."

The Senator from Maine then went on to show the number of colliers that it was necessary to employ in the present cruise of our great fleet—not American colliers, but colliers of foreign registry—and the Senator from Maine went on to show that in case of war the obligations of neutrality would prevent any one of these foreign countries permitting its ships of foreign registry from coming to our rescue. The Senator added:

"Mr. President, if when that fleet was ordered on this tour about the globe there had been the least menace of war from any power, no Government owning one of these foreign colliers would have allowed a single ship to be employed by us, and our fleet, magnificent as it is, with any menace of war upon the sky, without these foreign colliers would be as useless and—

"As idle as a painted ship
Upon a painted ocean."

The Senator from Maine further said:

"It is not, Mr. President, an agreeable thing to contemplate. We go on year after year building up and accumulating these immense ships at an enormous expenditure, and find ourselves, as we would in any emergency for which the ships are built, without a thing being done that makes the ships formidable as a fleet at sea. The Senator is right in his theories. There ought not to be another ship added to the American Navy until we add something that every other power has done to make the ships formidable in case of an emergency."

And then the Senator from Maine issued me an invitation, in response to which I will at the proper time offer an amendment to this bill. If I may have the attention of the Senator from Maine a moment, I wish to read his invitation. The Senator from Maine said:

"I do not think the Senator from Nevada wants to embarrass this bill; but when we come to the consideration of the naval appropriation bill I hope the Senator from Nevada and the Senator from New Hampshire and the Senator from Maine, my colleague, and every thoughtful, patriotic Senator will join with me to try and see that something is done in this entirely neglected field that we have rashly and in the most foolhardy way neglected and abandoned in the past."

Now, Mr. President, in view of the emphatic utterance of the Senator from Maine, I must say that this bill is a most "lame and impotent conclusion." It is true that this bill does provide for a few colliers. It provided as it came from the House for two feet colliers, each costing \$1,800,000, or a total of \$3,600,000. To that provision the Senate committee had added another provision for the purchase of three new steam colliers—I presume of slower speed—costing each not exceeding \$600,000. So that we have a total of five ships added to our auxiliary navy at a total cost of about \$5,000,000; and yet the Senator from Maine showed in his remarks upon a previous occasion that the colliers of foreign registry then employed by our fleet in Pacific waters were some 28 in number, probably cost from \$25,000,000 to \$30,000,000. And yet in case of war we would need not only colliers, but scouts, transports, dispatch boats, and other vessels, which would be as unattainable from the American register as the colliers would be.

Mr. HALE. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Maine?

Mr. NEWLANDS. I do.

AN IGNOBLE CONCLUSION.

Mr. HALE. I do not wish to interfere with the Senator. In the long time that this bill has taken of the consideration of the Senate, in the absence of the Senator, the same questions which he now raises have come up, and I have stated what the committee felt itself justified in doing. So far as concerns the equipment of our fleet with colliers, the most important subject, the bill as reported by the committee will not satisfy the Senator. It is not a large program, but it is something in the right direction. The bill provides five good serviceable colliers at a very considerable expense, and I should hope that it would be a permanent feature of naval bills for the future, and that in

considering the continued appropriations for the Navy—and I expect so long as I am a Member of this body to see appropriations for maintaining a strong, serviceable Navy—we should go on each year and make as a part of that program provision for colliers that may accompany the fleet in any emergency and which will always be a desirable and necessary part of the establishment.

Of course the Senator knows, while it has been said to be rather an ignoble consideration, that we have to attend somewhat to the conditions of the revenue, the great expenditures, and the approaching alarming deficit. We can not consider the Navy nor the Army, nor any part of the Government, without taking that into account, and, all things considered, the committee believed that this provision for five efficient, valuable, serviceable colliers is all that we can do this year. If we had a surfeit of money and did not know what to do with it, we might go more largely—which I should be very glad to do at as early a day as possible—into the other questions of the auxiliary navy, the building up of ships in the merchant marine, as England does and other great powers, that shall be built in cooperation with the Navy Department and that can be used in an emergency as valuable accessories to the Navy. Other powers have a large list, not on paper, but existing, of the auxiliary navy. I wish we had more. I wish the condition of our finances and our revenue justified us entering that field.

The Senator is right in his general view of what we ought to do. But we have gone on devoting ourselves mainly, as the Senator and all Senators know, to the increase of the Navy proper, the ships of the Navy, and have not given great attention to these other very essential accessories to that part of the establishment. I do not believe that this year we are justified in doing more than what the bill provides in that respect.

So I would be glad if I could join with the Senator, and I am indebted to him for the early and valuable suggestions that he made, which certainly attracted my attention, and which have led, I think, and the Senator is entitled to credit for that, to some development in this direction.

Mr. NEWLANDS. Mr. President, I am very glad to learn that this is but the commencement of a continuous policy. The Senator from Maine will not think me too critical in saying that the action of the committee was hardly a realization of the hope which he indulged in his former speech in the Senate, for at that time his utterance was emphatic that there should not be another ship in the Navy built until this needed want was filled. I agree with the Senator from Maine that there should be a limit to naval expenditures. I would gladly see all military expenditures reduced. I would not willingly favor any large increase in the present measure of expenditures. What I hoped for was that the committee would refuse to report in favor of more fighting ships until the auxiliary navy was brought up to a certain standard.

Such a policy would not mean larger annual expenditures on the part of the Government, but it would mean a usable navy, a proportioned navy—a navy in which each part was adjusted in operation to every other part—not a great machine of war, with essential parts absolutely lacking to such a degree that the machine would break down in case of war. I have likened our Navy of splendid fighting ships to a vigorous man, with strong lungs, strong heart, firm muscles, but lacking in an arm or a leg. And that is what our Navy is to-day. It is a navy without arms. It is a navy without legs. It is a navy without the ability to support itself in case of war, without a merchant marine upon which it can call for these auxiliary ships.

We not only are without transports and colliers and dispatch boats, but we have not them within our reach, so far as our domestic resources are concerned and so far as the world itself is concerned and our ability to call upon other nations in case of war for these auxiliary ships and to purchase them—ships now under foreign registry. The Senator from Maine has well said that to permit such action upon their part would be a violation of the laws of neutrality.

Mr. President, therefore I am as opposed as the Senator is to any increase in the total of our naval expenditures. But I suggest that if we are to expend \$100,000,000, of that sum \$20,000,000 might now be well spent in making this a proportioned navy, in securing the parts now lacking to its efficient and successful operation, and that this work of increasing our auxiliary navy ought not only to be commenced now, but it ought to progress vigorously, at the expense, if necessary, of the immediate construction of fighting ships, of which we to-day have a surplusage as compared with these useful ships so necessary in case of war.

Judged by present conditions we have a surplusage of one kind of ships and we are lacking in other essential ships, and the businesslike thing is, while limiting the total expenditure, to divide that expenditure so as to provide the needed parts of this Navy and not to increase those parts of which we have at present a surplusage.

BUSINESSLIKE PATERNALISM.

Mr. President, while discussing this point I wish to say that I do not believe we should enter upon the policy of creating an auxiliary navy unless we pursue it in a businesslike way. I know it is not regarded as essential to apply business considerations to governmental work. Whenever an attempt is made to do it the cry is raised that the Government should not go into business, and the terrors of governmental ownership are held before us. I do not wish to see the Government go into business. I do not want to see Government ownership of any business. But it does seem to me that when the Government enters upon a great work it should enter upon it in a businesslike way.

This auxiliary navy is needed for the emergency of war. What are we to do with it during the period of peace? Can not we settle that in a businesslike way? One complaint is made that it is difficult to get the men to man the ships in case of war; that we have not a merchant marine which is training men for this service; and the necessity of a great Naval Reserve has been pointed out. It has been insisted that we should have a reserve of at least 10,000 trained men to meet the emergency of war. England has 30,000 such men. It seems to me the suggestion is a wise one, and the question is how shall we train that Naval Reserve—on land or at sea? Certainly these ships can be used as training ships, officered by surplus officers of the Navy, who will be needed in case of war. A training school on a ship will cost less than a training school on land. We have a training school at Goat Island, in California, and possibly we have others. These ships can be used in that way.

But it occurs to me that the expenditure for moving these ships from port to port in the training of the Naval Reserve should be made in a businesslike way, and if any part of it can be saved it should be. What trade is the Government of the United States endeavoring to reach out for? The promotion of commerce with South America, with Australia, and with the Orient. Complaint is made every day that our merchant marine has declined. Complaint is made every day that the merchant

marine of the United States can not compete with the marine of any other country upon waters not monopolized by the United States. We all know that the cost of American ships is at least one-fourth more than that of ships of foreign register. We all know that in building American ships the American shipbuilder has to pay the Steel Trust of America \$8 a ton more for its steel than does the foreign shipbuilder building for a foreign country and buying the steel from the same trust. We all know, also, that as a result of the high protective system which we have established in this country everything in this country, as compared with other countries, is upon stilts, everything adjusted to the monopoly of production in the great industrial establishments secured by the maintenance of this high-tariff wall.

The result is that the cost of administration of the American ship, manned by American sailors, is from 30 to 40 and 50 per cent higher than that on foreign ships. How, then, can we expect to open up these lines of commerce and of mail to South America, Australia, and the Orient when our merchant marine labors under these very obvious disadvantages in competition with other countries?

I ask, then, why these ships, this auxiliary Navy, which we are creating, should not be used in a businesslike way, not in traversing routes now established, but in opening up new routes; not under the direction of the Government itself, but intrusted by lease under favorable conditions to private shipping companies, the Government retaining its control over the reserves on the ships, maintaining its officers on the ships, and thus adding to that degree in the economical administration of the ships, so far as the carrier company is concerned, and thus these ships can be used for the purpose of auxiliary ships in case of war, for training schools for our reserves, and the temporary purpose of aiding our mercantile interests in establishing new routes of mail and commerce to South America and the Orient. By doing that we can largely diminish the cost of the operation of these ships, diminish the cost of the training school itself, diminish the cost of the operation of the auxiliary Navy, and at the same time promote the commerce and business of the country.

Why should not the United States Government, when it is doing or proposes to do a paternal thing—for ship subsidy is paternalism—do it in a businesslike way? If it is to pay out money to aid in building ships for our merchant marine, let it own the ships. If it is to aid in the administration of such ships, let it share in the benefits of the administration, in the development and the training of the naval reserves capable of responding efficiently to the call of the country in case of war.

Mr. President, in that way we may possibly open up new lines, and when business is established private shipping companies will take the place of these auxiliary ships, which are simply the advance agents of commerce, and we may then have real ships upon the ocean. At present one of the chief arguments for the creation of a great Navy is protection of the merchant marine. That is the plea made by every country. That is the reason why England has a great navy; that is the reason why Germany has a great navy; that is the reason why France has a great navy. We have built our Navy in advance of our merchant marine. We have built our Navy to protect phantom ships. I would have these ships real ships. First, auxiliary ships of the Navy as advance agents of commerce, and then, as the result of established business and commerce, American lines bearing the American flag which the American Navy will protect throughout the world.

A NAVAL COMMISSION.

Mr. President, at the suggestion of the Senator from California, I have modified the amendment which I have proposed as a substitute for the amendment proposed by the Senator from Washington by striking out the last few lines, after the word "peace," in line 7, and I will ask the Secretary to read the amendment as modified.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The SECRETARY. After line 5, on page 87, it is proposed to insert: "For an auxiliary navy consisting of transports, colliers, scouts, dispatch boats, and other vessels necessary in aid of the fighting ships in case of war, \$20,000,000, and the Secretary of the Navy, the Secretary of Commerce and Labor, and the Postmaster General are hereby constituted a commission to recommend to Congress a plan for utilizing such ships in times of peace."

Mr. NEWLANDS. Mr. President, I wish to say a few words regarding the appointment of this commission. It is true that this is a naval bill, and it is true that these are naval expenditures, and they are to be made under the direction and control of the Navy Department, but it seems to me obvious that inasmuch as it is desirable that this auxiliary navy should be built and conducted in a businesslike way, with a view to as small an expenditure as possible in the future in the way of operating expenses, we should at all events study a plan under which it can be made useful, self-compensatory, or partly compensatory. Now, what departments of the Government are interested in these questions? Obviously the Navy Department, because of its control of the Navy; obviously the Department of Commerce and Labor, which has a mixed jurisdiction over the entire subject of commerce; and obviously the Post Office Department, which department has control of the mails.

We are seeking now to promote an auxiliary navy. We are seeking to promote commerce with South America, Australia, and the Orient, and we are seeking to establish new lines of mails. Why, therefore, would it not be wise to put the three heads of those departments into one commission with a view to a study of the subject, so that a ship can be constructed which will be useful for all the purposes to which I have referred—for the Navy, the commerce, and the mails—and a commission that can study a plan for economically working out the best interests of the Government in creating a proportioned Navy and in advancing commerce and new lines of mail.

No power is given to them except the power of recommendation, and I would ask the Senator from Maine whether he would have any objection to the appointment in this bill of such a commission.

Mr. HALE. Mr. President, I am not prepared to assent to that, because I do not think that it has had mature consideration enough to be embodied as a part of the appropriation bill. We are dealing with the money that we should expend. The question of a commission to take up great subjects I do not think has been presented sufficiently to justify putting on that matter at this stage, when the vote must be taken to-night by an agreement of the Senate.

I do not say that at the proper time I would not favor such a commission, although my experience is that government by commission is not very practical or effectual government. Commissions do not accomplish much unless you would give them absolute power, which we can not grant. An advisory commission never has effectuated much.

Without taking up more time, because I know the Senator desires to go on, I will say that I am not prepared to agree to that proposition upon this bill.

Mr. NEWLANDS. Mr. President, I regret that the Senator can not see his way clear to accept at all events this part of the amendment, for it always seems to me that when a question of this kind is up for discussion before the Senate that is the appropriate time for action. I am always opposed to the policy of drift, and that has been the policy of legislation ever since I have served in the House and in the Senate. I believe that now is the appropriate time for action upon this subject, and I regret, in view of the fact that the Senator himself has so emphasized the importance of action upon this subject, he does not see his way clear to assent to the proposition now.

The Senator remarks that the work of commissions is not always satisfactory; that we can not give them full power, for that might mean, I presume, a delegation of legislative power, and that advisory commissions rarely accomplish much good. Yet the Senator will bear me out in the fact that we rarely consider an important bill involving the work of any department without submitting that bill to the head of the department, with a view to securing the report of the department, involving the view of the experienced men there regarding the work. I find that that has been done in the recent mail subvention bill prepared by the Senator from New Hampshire [Mr. Gallinger].

If the Senator will refer to the report upon that bill, he will find that it was submitted to the Postmaster General, the Secretary of Commerce and Labor, and the Secretary of the Navy for their opinion relating to it. It does seem to me if it is desirable to do that, it is desirable to get them together in consultation and have the aid of experienced men, with the aid of experts, so that we may have not simply the individual judgment of each, but combine the judgment of all after a careful study of the subject.

It is for that reason that I favor this method of proceeding, and not with a view, of course, of conferring upon the commission any of the powers belonging to Congress.

January 11, 1911.

OCEAN MAIL SERVICE AND PROMOTION OF COMMERCE—AUXILIARY NAVY.

The Senate, as in Committee of the Whole, having under consideration the bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce"—

PROMOTION OF MERCHANT MARINE.

Mr. NEWLANDS. I was remarking, Mr. President, that I was entirely in sympathy with any proper movement that would stimulate our merchant marine and would bring about the restoration of our flag on the oceans.

But we all realize the difficulty of that task. One difficulty is that ships built in American shipyards cost, I believe, at least 50 per cent more than those constructed in foreign shipyards; and, second, that the operation of American ships costs from 40 to 50 per cent in excess of the operation of similar ships under foreign service. So we start with that initial difficulty. Assuming that other nations do subsidize their merchant marine, it is essential that we should give a subsidy very much larger than that of these other countries, because of the initial cost of the ships and the additional cost of operation.

In the next place, the ships can accomplish little unless they carry goods. It is proposed by this bill to stimulate trade with South America, and the Senator from New Hampshire paints a very attractive picture of the trade possibilities there, indicating very clearly that the per capita imports of those countries far exceed the per capita imports of oriental countries, and therefore it is of greater importance that we should stimulate trade with South American countries than trade with the Orient.

But of what does that trade consist? The exports from those countries are mainly natural products. The imports of those countries are mainly manufactured products. Those countries do not require natural products, agricultural products, such as we can export in competition with the entire world. But they do require manufactured products, in the production of which we can not compete with the rest of the world, and we confess this by declaring openly that it is essential to have in this country a protective tariff averaging 50 per cent of the value of imported manufactures in order to maintain our domestic industries. We confess that. It is not a matter of contention.

Now, then, if this contention be true, that the average cost of production of manufactured products in this country is nearly 50 per cent in excess of that of European products of a similar character, to which country will the South American peoples go for the manufactured products which they seek to import? Naturally to the country of the lowest cost of production, and those are the countries requiring South America's agricultural and natural products. So we have to meet this great natural demand of the South American countries for manufactured products, which can be secured cheapest in Europe, and of the European countries for agricultural products which can be secured as cheaply in South American countries as in the United States. So there is a natural current of trade between South American and European countries which we in our efforts to establish a merchant marine must stem and overcome.

Mr. President, it seems to me entirely logical to assume that we must either abandon this high protective system with a view to bringing our costs of production down to the world's level, so that we can compete with other countries, in the export of manufactured products, or we must create subsidies of enormous proportions to meet not only the difference in the cost of building ships and of operating ships, but to meet the difference in the cost of production of the things which are to be exported to those countries.

Mr. President, I was not unaware of the conditions to which the Senator from Georgia refers. There are doubtless many manufactured products of this country that are sold for less abroad than the price obtained at home and at prices that are competitive with the prices of foreign countries. I do not know how many industries would be included in such a practice—not very many, probably, but enough to demonstrate the fact that in addition to the subsidy we are creating by this bill, the subsidy of the ships that are to carry the goods, the American people are largely subsidizing American industries, and that in some cases that subsidy is so enormous as to enable those industries to dump their surplus abroad in competition with other countries.

Mr. President, the Senator from Maine very truly says that the trade of these countries so near to us ought to be ours; and he presents a

picture of a mutual exchange of products, which must mean that we send to those countries manufactured products in competition with European countries, whose production we claim costs much less than ours, and which must mean also that we received from them agricultural products when we are rich in agricultural products ourselves and do not require importation of such products. But I agree with the Senator from Maine that unless we embark upon this venture we will never know, and the question now is, How can we in a reasonable and sensible way embark upon the venture?

NEED OF AN AUXILIARY NAVY.

One of the arguments advanced for a subvention to a merchant marine is that it is necessary to create an auxiliary navy. What does an auxiliary navy mean? It means the ships, such as transports, colliers, dispatch boats, and scouts that are necessary to support the fighting ships in case of war, and without which, in time of war, our fighting ships would be derelict in the ocean.

We all understand that to-day we have a badly proportioned Navy, a navy like a man without a leg or without an arm, a navy like an army without a quartermaster's department or a commissary department. We realized that when our fleet sailed around the world, and in order to meet the demand of that fleet for coal we were compelled to call upon other countries to supply the colliers.

I called the attention of the Senate to this fact two or three years ago, and I remember that the Senator from Maine seized upon some expression I made and amplified it most eloquently. He declared that our Navy as it was and as it is would be in case of war as useless as "a painted ship upon a painted ocean." At that time the Senator from Maine supplemented me in my efforts to increase the auxiliary navy of the United States, to attempt at least to create a better proportioned navy, by bringing in his navy bill appropriations for three or four or five colliers. That method of appropriation was not pursued with the energy which I would have liked to have seen.

I believe it is better to have a well-proportioned navy than a badly proportioned navy, and I would rather have a well-proportioned navy, with every member belonging to a well-proportioned navy, than a navy of fighting ships larger in number but without the ability to sustain themselves in case of war. So I have urged that we should diminish the appropriations, temporarily at least, for the fighting ships and apply our energies to the construction of the ships that are to support the fighting ships in the emergency that the fighting ships are called upon to meet, that of actual war.

Now, Mr. President, the question is, What can be done with these auxiliary ships, built as a part of the Navy in time of peace? Let me suggest that we require a naval reserve. We need men who, at any time in case of war, as trained men, can enter into the service of the fighting ships. Such a naval reserve can be largely made up of boys and young men, such young men as are now being trained at the naval training schools of the country. A floating training school is just as good as one upon land, and better. It costs no more. The housing for a naval reserve upon sea costs no more than the housing upon land, and upon the sea the young men are learning to solve every day the problems which relate to their vocation. Why should we not have floating training schools, and why should not we build as a part of our Navy these transports, colliers, dispatch boats, and scouts; and why should not they be used for that useful purpose? In addition to that, could we not in times of peace let out to commercial or shipping companies these ships, largely manned by the Naval Reserves and officered—in part, at least—by United States naval officers for purposes of commerce, to open up new and untried markets, such as those in South America now in contemplation?

The estimate which I had some time ago with reference to the cost of such ships was a million dollars, I believe, for each ship of about six or seven thousand tons, such ships as the excellent ships that used to sail from San Francisco to Australia, sailing, I believe, at the rate of about 16 knots an hour. Why should not these ships be used in opening up these new routes of travel, and then we will have reached what the Senator from Maine desires to reach, an ascertainment of what can be done by an actual experiment?

SUBSIDIES UNDESIRABLE.

I do not like to open up the road to subventions, to subsidies. The whole country is now in revolt against legislation intended to advance special interests. The whole tendency of the country now is the other way, to divorce legislation from business and to do away with the temptation to these great interests to participate in elections and to influence legislation or administration. I would not see the area of the activities of these interests enlarged by inviting this great shipping interest in as a factor in politics, in legislation, and in administration. But I can see no objection to the creation of a well-proportioned navy, one that will be of real and actual service in case of war, and I can see no objection to dealing with that auxiliary navy in a businesslike way, making its primary purpose during time of peace the training of the Naval Reserve, and making its secondary purpose some recompense for cost of construction and operation by leasing them for opening up these new routes of commerce, and at the same time demonstrating whether it is possible for us with the alleged high cost of production in this country, sustained by a protective tariff system, to engage in competition with other countries having lower costs of production in the open, neutral, and untried markets of the world.

February 2, 1911.

The Senate, as in Committee of the Whole, resuming consideration of the bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce"—

AMENDMENT PROVIDING FOR AN AUXILIARY NAVY.

Mr. NEWLANDS. I will only say briefly, Mr. President, that we are now making an expenditure of about \$125,000,000 annually for our Navy. In a period of 10 years we will have expended at that rate \$1,250,000,000 for the construction and the maintenance of the Navy, and at the end of that time we will have, if we pursue the methods which have been pursued heretofore, as incomplete a Navy, as disproportionate a Navy as we have to-day, a Navy composed altogether of fighting ships without the auxiliary ships, such as transports, scouts, colliers, and dispatch boats, which are necessary to sustain the fighting ships in case of war.

NEED OF A WELL-PROPORTIONED NAVY.

I believe in a well-proportioned Navy, and I believe that we should apply a part, say \$10,000,000 annually, of the \$125,000,000 now an-

nually appropriated for the Navy upon the construction of useful auxiliary ships, which will support the fighting ships in case of war, and which can be let out in times of peace to shipping companies for such purposes as are contemplated by this act. We would then have at the end of 10 years 100 ships such as are contemplated in this amendment, and we would have a well-proportioned Navy instead of a disproportioned Navy.

Mr. President, this bill may pass, and yet it will not be productive of the results desired by the Senator from New Hampshire [Mr. GALLINGER]. Through our protective system the cost of construction and the cost of operation in this country has been so raised that it is impossible for us to construct ships in this country without expending at least 50 per cent more than is expended by other nations, and it is impossible to operate them without expending at least 50 per cent more. So, in order to support a merchant marine in competition with the merchant marine of other countries upon the high seas we not only have to equal the subsidies which those nations now give, but we have to largely increase them. And even if this bill passes I can see from the utterances of the Senator from New Hampshire that he has but little hope of any substantial result.

Mr. President, assuming that \$4,000,000 annually will be paid out by the National Government in these mail subsidies, we will have the sum of \$40,000,000 expended within 10 years. During that time, if I have understood the Senator from New Hampshire aright, he does not expect more than 30 ships to be constructed under this subsidy, so that we will have a total subsidy of about \$40,000,000 to private companies to aid them in the construction of about 30 ships.

The amendment which I have offered proposes that only \$30,000,000 shall be expended for 30 ships of 6,500 tons capacity, such ships as those plying some time ago between the port of San Francisco and Australia, ships which amply met the conditions of commerce and the requirements of trade.

UTILIZING SHIPS IN TIME OF PEACE.

Of course we will have the operation of these ships, and how will we utilize them? We can utilize them, in part, as training ships for our Naval Reserve, for the men who are ultimately to man our fighting ships. A floating training ship does not cost any more than a training school on land. Viewed just in that light, the ship is simply a floating boarding house or a floating hotel; and as we intend to have a Naval Reserve and go to a considerable expense for a Naval Reserve, why should we not have that reserve at sea as well as on land, where its maintenance costs no more and where that Naval Reserve is learning day by day the duties of its vocation? Then I can imagine that a commission organized as this is, consisting of the Secretary of War, the Postmaster General, and the Secretary of the Navy, could easily arrange in times of peace that these ships could be used under lease in opening up new routes of commerce, and that thus the object of subsidizing a merchant marine would be accomplished.

The ships would open up these new routes of commerce, and as they became profitable, then perhaps private shipping companies would undertake the entire field. Meanwhile the ships would serve the useful purpose of being at hand at any time in case of war and of serving during any other time as training schools for our Naval Reserves.

Man these ships even when they are employed in the merchant marine, in part, by the Naval Reserve, and to that extent you reduce the operating cost to the private shipping company. So the operation of a line of ships impossible now would become possible by reason of the Government paying a part of the operation of the vessel itself.

But what have we without this? We have a badly proportioned Navy composed of fighting ships derelict in the ocean in time of war, utterly unable to fight without the supporting ships, at a cost of \$1,250,000,000 during the next 10 years. Is it not better to take during the next 10 years at least \$100,000,000, less than 10 per cent of this total sum, and apply it to making a well-proportioned Navy that can meet the exigencies of war?

Mr. President, I have no hope that this amendment can be adopted at this time, though I have very gratifying evidence of a growth of sentiment on this floor in favor of this measure. The first ally we had in it was the Senator from Maine, the chairman of the Committee on Naval Affairs, who some years ago as the result of this agitation largely increased the colliers of the Navy and assured us of a still further increase. The Navy has already been compelled to build some colliers. The bill to which I refer brought in three or four. It is no new thing. The Navy is not to-day relying upon privately owned ships for the carrying of its coal.

This has no more suggestion of paternalism than the appropriations already made. It is simply an attempt to measure up to the requirements of the situation, and, when it is impossible to get such ships from a merchant marine as it exists to-day and will be impossible even under this bill, to secure the ships without which our Navy will be as incapable in time of war as an Army would be without a quartermaster's department or without a commissary department.

August 3, 1914.

AUXILIARY NAVY AND NAVAL RESERVE.

The Senate having under consideration the bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America—

Mr. NEWLANDS. Mr. President, * * * I wish to say, Mr. President, in this connection that for many years I have been urging, in the form of resolutions and amendments to pending legislation and bills, the creation of an auxiliary navy, composed of transports, colliers, scouts, and other ships, which would aid the fighting ships in case of war and would be useful in time of peace in opening up new routes of commerce and as training schools for our merchant marine. This bill is not so ambitious as the project contemplated by the resolutions and amendments which I have offered from time to time, but I regard it as a step in that direction. It is a utilization by the Navy of certain ships now in the Navy for the purpose of opening up commercial routes and mail routes, new routes of transportation through which American commerce can be developed.

We all know that the great difficulty in establishing a merchant marine in the United States is, first, the initial cost of the ships, which, under our protective system, is much larger than that in other countries; and, second, the cost of operation, because of the more liberal wages which we pay. But it is perfectly apparent that, so far as our Navy is concerned, it is a badly proportioned Navy, composed almost entirely of fighting ships and lacking the auxiliary ships necessary to support the fighting ships in case of war, and without the ability upon the part of the United States in case of war to call in

the ships of its merchant marine, because, practically, we have no merchant marine.

I look upon this legislation, therefore, as a step in the direction of a larger policy, which will result in the construction by the United States of commercial ships, transports, colliers, ships that can be used for scouts, and so forth, in time of war and their utilization in time of peace; and I expect that in the progress of events the opening up of these commercial routes through our Navy will gradually lead to the establishment of a substantial merchant marine belonging to the United States.

I am warmly for this measure, and hope that no objection will be interposed against its present consideration.

I should like also to insert in my remarks the resolutions that I have offered and amendments that I have proposed on this subject during previous years, with extracts from previous remarks concerning them.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

RECORD OF MR. NEWLANDS'S WORK FOR AN AUXILIARY NAVY.

Motion made by Mr. NEWLANDS, Fifty-ninth Congress, first session, February 14, 1906:

"That S. 529 be recommitted to the Committee on Commerce, with instructions to report in connection therewith an estimate of the cost of the vessels required for service in the ocean mail lines provided for in section 6, and as to whether it is practicable for the United States Government to construct such ships as a part of the Navy, supplementary to the war ships, to be used as colliers, transports, scouts, etc., in the emergency of war, and as to whether it is practicable to lease such ships to private corporations in times of peace for the service of the mail lines contemplated in section 6, and as to whether it is practicable to organize a naval reserve to be enlisted in the United States in the service of such ships whose wages shall be paid three-fourths by the private corporations leasing such ships, and one-fourth by the United States Government; such naval reserves to be composed of citizens of the United States, or those who have declared their intention to become such—and to be subject to the training of naval officers in order to fit them to respond to the call of the Government in case of war, and the rentals received from such ships to form a fund for the gradual enlargement of the number of supplementary ships required by the Navy in case of war, as colliers, transports, scouts, etc., and generally to report the comparative cost of such method of enlarging our merchant marine as compared with the method of subvention provided by section 6."

Amendment to the ship subsidy bill, Sixtieth Congress, first session, offered by Mr. NEWLANDS on March 20, 1908:

"That the Secretary of the Navy, the Postmaster General, and the Secretary of Commerce and Labor shall hereafter constitute a commission to be known as the Foreign Commerce Commission, and that they are hereby authorized to provide for the construction, either in the private shipyards of the country or in the shipyards of the Navy, or both, of 27 vessels, not exceeding 6,500 tons capacity each, and costing in the aggregate not exceeding \$27,000,000; that such vessels shall be so constructed as to be useful to the Navy as auxiliary vessels, such as transports, colliers, dispatch boats, cruisers, and scouts, and also useful in times of peace in opening up new routes of commerce between United States ports and the ports of South America, New Zealand, Australia, and the Philippines; that such commission make to Congress such recommendations as to it seem advisable regarding the manning of such vessels in whole or in part by the Naval Reserve and the leasing of them so manned in times of peace to shipping companies for the purpose of promoting foreign trade and commerce, and for the incorporation of such shipping companies under national law, and for reports on their operations."

Amendment offered by Mr. NEWLANDS to the ship-subsidy bill, Sixtieth Congress, first session, April 27, 1908:

"For an auxiliary Navy consisting of transports, colliers, scouts, dispatch boats, and other vessels necessary in aid of the fighting ships in case of war, \$20,000,000; and the Secretary of the Navy, the Secretary of Commerce and Labor, and the Postmaster General are hereby constituted a commission to recommend to Congress a plan for utilizing such ships in times of peace."

Amendment offered by Mr. NEWLANDS to the naval appropriation bill, Sixtieth Congress, second session, February 15, 1909:

"Strike out the clause relating to battleships, page 68, lines 14 to 21, inclusive, and insert: 'That for the purpose of increasing the efficiency of the Naval Establishment of the United States the President is authorized to have constructed such auxiliary ships, including transports, colliers, dispatch boats, cruisers, and scouts, as will be necessary in case of war to support the fighting ships, at a total cost not to exceed \$12,000,000; and that the President make such recommendations to Congress as to him seem advisable regarding the manning of vessels belonging to such auxiliary Navy, in whole or in part, by the Naval Reserve and the leasing of them, so manned, in times of peace to shipping companies for the purpose of promoting foreign trade and commerce.'"

In the Sixty-first Congress, second session, on June 10, 1910, Mr. NEWLANDS introduced S. 3721, to authorize the construction of auxiliary ships for the Navy:

"A bill (S. 3721) providing for the construction of auxiliary ships of the Navy and for their use in times of peace in opening up new routes of commerce.

"Be it enacted, etc., That the Secretary of the Navy, the Postmaster General, and the Secretary of Commerce and Labor shall hereafter constitute a commission, to be known as the foreign commerce commission, and that they are hereby authorized to provide for the construction, either in the private shipyards of the United States or in the shipyards of the Navy, or both, of 30 vessels, not exceeding 6,500 tons capacity each and costing in the aggregate not exceeding \$30,000,000; that such vessels shall be so constructed as to be useful to the Navy as auxiliary vessels, such as transports, colliers, dispatch boats, cruisers, and scouts, and also in times of peace in opening up new routes of commerce between United States ports and the ports of South Africa, South America, New Zealand, Australia, and the Philippines; that such commission make to Congress such recommendations as to it seem advisable regarding the manning of such vessels in whole or in part by the Naval Reserve and the leasing of them, so manned, in times of peace to shipping companies for the purpose of promoting foreign trade and commerce, and the incorporation of such shipping companies under national law, and reports of their operation."

In the Sixty-first Congress, third session, on February 2, 1911, Mr. NEWLANDS offered the following as an amendment to the ship-subsidy bill:

"That the Secretary of the Navy, the Postmaster General, and the Secretary of Commerce and Labor shall hereafter constitute a commission, to be known as the foreign commerce commission, and that they are

hereby authorized to provide for the construction, either in the private shipyards of the United States or in the shipyards of the Navy, or both, of 30 vessels, not exceeding 6,500 tons capacity each and costing in the aggregate not exceeding \$30,000,000; that such vessels shall be so constructed as to be useful to the Navy as auxiliary vessels, such as transports, colliers, dispatch boats, cruisers, and scouts, and also useful in times of peace in opening up new routes of commerce; that such commission make to Congress such recommendations as to it seem advisable regarding the manning of such vessels in whole or in part by the Naval Reserve and the leasing of them, so manned, in times of peace to shipping companies, or otherwise utilizing them for the purpose of promoting foreign trade and commerce."

Extract from Senate resolution No. 41, Sixty-second Congress, first session, introduced by Mr. NEWLANDS, May 11, 1911:

"Resolved, That it is the sense of the Senate that during the extra session legislation should be enacted upon the following subjects:

"(7) Providing for the upbuilding of the American merchant marine by free entry to American registry of all ships, wherever constructed, and by the construction of auxiliary ships for our Navy, to be used in time of war in aid of the fighting ships and in time of peace in establishing new routes of commerce through lease to shipping companies; such legislation to involve the temporary diminution of the construction of fighting ships and the substitution of auxiliary ships, with a view to the creation of a well-proportioned and self-sustaining Navy."

Extract from Senate resolution No. 159, offered by Mr. NEWLANDS, Sixty-second Congress, second session, December 7, 1911:

"Resolved, That it is the sense of the Senate that during the present session the appropriate committees shall consider and Congress enact legislation upon the following subjects:

"Twelfth. Providing for the construction of auxiliary ships for our Navy, to be used in time of war in aid of the fighting ships and in time of peace in establishing necessary service through the Panama Canal and new routes of commerce to foreign countries through lease to shipping companies; such legislation to involve the temporary diminution of the construction of fighting ships and the substitution of auxiliary ships, with a view to the creation of a well-proportioned and efficient Navy."

Extract from Senate resolution No. 4, introduced Sixty-third Congress, special session of the Senate, by Mr. NEWLANDS, on March 13, 1913:

"6. Resolved, That the Committees on Military and Naval Affairs report at as early a date as possible during the extra session upon the following questions:

"(b) A plan for the construction of auxiliary ships for the Navy, to be used in time of war in aid of the fighting ships and in time of peace in establishing necessary service through the Panama Canal and new routes of commerce to foreign countries through lease to shipping companies; such legislation involving the temporary diminution of the construction of fighting ships and the substitution of auxiliary ships, with a view to the organization of a well-proportioned and efficient Navy."

August 8, 1914.

The Senate having under consideration the bill (H. R. 18202) to provide for the admission of foreign-built ships to American registry for the foreign trade—

Mr. NEWLANDS. Mr. President, I desire to offer again the amendment with reference to an auxiliary navy, striking out that provision which provides for the expenditure of the \$30,000,000 in installments running over five years, and providing that the sum of \$30,000,000 shall be available immediately for use in this emergency. I should like to have the amendment as changed read, and also a letter from the Secretary of the Navy on this subject.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. It is proposed to insert the following:

"That the Secretary of the Navy is hereby authorized to purchase or to provide for the construction, either in the private shipyards of the United States or in the navy yards, or both, of 30 vessels suitable for use by the Navy either as auxiliary vessels, such as transports, fuel ships, dispatch boats, ammunition vessels, hospital ships, submarine and destroyer tenders, supply ships, cruisers, and scouts, or for use on such commercial or Navy mail lines as the Secretary of the Navy may now or hereafter be authorized by law to establish: *Provided*, That the cost in the aggregate of the aforementioned vessels shall not exceed \$30,000,000: *Provided further*, That the sum of \$30,000,000 is hereby appropriated, out of any money in the Treasury not otherwise obligated, to carry into effect the provisions of this act."

Mr. NEWLANDS. I ask for the reading of the letter of the Secretary of the Navy.

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

The Secretary read the letter, as follows:

"NAVY DEPARTMENT,
Washington, August 7, 1914.

"Hon. FRANCIS G. NEWLANDS,
United States Senate, Washington, D. C.

"MY DEAR SENATOR: I have given careful consideration to your letter of this date, inviting a suggestion in form of an amendment to the Panama Canal act covering the ground which you have heretofore embraced in a proposed legislative program.

"It appears that a slight change in the wording of the bill (S. 3721) introduced by you December 10, 1909, and somewhat modified so that the vessels mentioned therein may be utilized in case the Weeks bill, establishing one or more Navy mail lines, becomes law, would fit conditions and supply the needs of the Navy.

"The suggested amendment to the Panama Canal act is attached hereto. You will note that the number of vessels to be purchased or contracted for is limited to 6 a year, which would require five years to obtain the total of 30. This provision would enable the department to replace old naval vessels as they become worn out in the service of the mail, passenger, and freight lines which the Weeks bill proposes to establish.

"I am informed that the Naval Committee of the House will consider the Weeks bill on Tuesday next.

"Assuring you of my appreciation of the interest you have taken and are now taking in this important matter, I am,

"Very sincerely, yours,

"JOSEPHUS DANIELS."

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nevada.

Mr. NEWLANDS. Mr. President, I will state with reference to this communication that I have since had a conversation over the telephone with the Secretary of the Navy, and he agrees with me that the emergency is such as to make it advisable that this entire \$30,000,000 should be put immediately at the disposal of the Navy Department with a view to meeting the demands for ships for transportation, so I have amended the amendment which I previously offered to that effect. The Senate is doubtless aware that the Weeks bill passed a few days ago provided for mail lines to be conducted by the Navy Department and put at the command of the Navy Department for that purpose a number of ships that are now in the Navy. This is simply an enlargement of that auxiliary navy which is to be used temporarily in times of peace for commercial purposes.

I think it is of the highest importance that there should be some legislation upon this subject at this time. All the measures with reference to coaxing foreign vessels into American registry by taking away the restrictions of our registry laws may fail or be inadequate.

Mr. O'GORMAN. Mr. President, with great reluctance but only owing to the stress of circumstances do I resort to a point of order regarding the proposed amendment that it involves an appropriation and can not be considered as a part of this bill. It was not estimated for by the department.

Mr. NEWLANDS. I do not understand—

The VICE PRESIDENT. The Chair overrules the point of order. The amendment is germane and it is in order.

Mr. GALLINGER. This is not an appropriation bill.

Mr. BRANDEGEE. May I ask the Senator from Nevada a question?

Mr. NEWLANDS. I will yield to the Senator from Connecticut in a moment.

If the amendment is adopted now this bill will be considered in the House in connection with the Weeks bill, which is before the Naval Affairs Committee of that body and which comes up for consideration next Tuesday. It seems to me that here is an opportunity to meet an emergency such as we met during Mr. McKinley's administration, when we unreservedly put into his hands \$50,000,000 to meet the exigencies of the situation growing out of the impending war with Cuba. This is a situation much more serious than that in that it possibly means the prostration of over-sea carriage. Congress is about to adjourn, and unless the restrictions upon transportation imposed by belligerency are removed we may have a most serious condition in the business and commerce of this country. It seems to me that a large fund should be put in the control of the administration with as large a discretion as possible to meet this great emergency.

Mr. GALLINGER. Can the Senator tell us approximately when Congress is to adjourn?

Mr. BRANDEGEE. That is beyond my imagination.

The Senator has used a phrase in explanation of his amendment which I should like to have him explain. If I understood him correctly, he said that these boats are for temporary use. What does the Senator mean by that?

Mr. NEWLANDS. I mean so far as they are to be used for commercial purposes.

Mr. BRANDEGEE. And then what?

Mr. NEWLANDS. The use is a temporary one, for we hope this war will be a temporary war; that it will not last over a long period; and that it will not prostrate our foreign commerce. And as Congress is at present expected to meet that emergency, in that sense it is temporary; but in the larger sense this appropriation is not temporary.

Mr. BRANDEGEE. Then what?

A PERMANENT AUXILIARY NAVY.

Mr. NEWLANDS. It creates a permanent auxiliary navy. It supplies ships to the Navy that the Navy needs. It supplies colliers, transports, scouts, dispatch boats, and other vessels without which our fighting ships will be derelict in the ocean and absolutely helpless in case of war. We have no merchant marine upon which we can call for transports and colliers and scouts. We have fighting ships without the supporting ships. We are practically an army without a commissary. These ships are absolutely necessary, as was demonstrated in the trip of our naval squadron around the world, when we were subjected to the humiliation of calling upon foreign nations to supply us with the ships that were necessary to supply and support that great squadron. We were unable to furnish them ourselves. Here is an opportunity to make our Navy a well-proportioned, well-equipped Navy, composed not simply of fighting ships, as at present is substantially the case, but also of the supporting ships, such as transports, colliers, dispatch boats, and scouts, necessary to support the fighting ships, and at the same time to provide 30 vessels of about 10,000 tons capacity, which can supply the place of these ships that are now driven out of commerce by the extraordinary war in which the principal carrier and maritime nations of the world are involved.

Mr. President, of course it is always possible to buy 30 vessels for a million dollars apiece if you have the money. A year ago I introduced a resolution, which was referred to the Committee on Naval Affairs, calling for information as to the proportion and balance of the Navy and as to its efficiency in that respect. I have heard nothing more from it, and I did not expect to, but if the Navy is unbalanced and disproportionate and is too heavy in the battleship line and there are not sufficient accessories, that is the business of the Navy Department and the Committee on Naval Affairs. It is a legitimate consideration for the naval appropriation bill. I have always favored a most liberal appropriation for that. I think our Navy needs quite as much a rearrangement and reappportionment, in view of making it effective as a whole, as it does in new units. I agree with the Senator from Nevada about that, though I am not expert in that line of business, and that is the reason why I called for information from the department, but did not get it.

Mr. President, I am one of those who think it is wise not to lose one's head or be stampeded by shrill sounds of voices against emergencies. There may be an emergency in the transportation business by sea by which we market our products abroad and there may not. There may have been one for four or five days now and it may be entirely relieved within a week.

Before I would lightly take out \$30,000,000 from the Treasury of the United States and cast it into this project I would be inclined to wait a week, and I do not think Congress is going to leave before that time, and see if the control of the sea is obtained by a power which can protect its ocean-borne commerce so that no emergency develops at all.

I do not advocate this amendment at this time. My own judgment is that it was quite a sufficient experiment when we passed the Weeks bill, if that was the bill which provided for the Government to go into

commercial business in connection with the mail and use its naval vessels for those purposes.

Mr. President, if the Government of the United States is going into the commercial business with foreign nations, all the talk about a merchant marine as we have heretofore known it and meant it is the merest idle talk. Nobody will ever build a vessel to compete with the United States Government in the commercial business. If the Government engages in that line of business, to act as a commercial prospector for good, profitable lines of commerce with foreign nations, and then as soon as an American intimates his willingness to occupy the field the Government is going to withdraw from it, that is an exceedingly curious line of governmental activity, it seems to me.

Of course, I do not think it is necessary to speak at length on this amendment. I have no idea it will be adopted upon the bill at this time. I simply did not want to get stamped myself and I did not want anybody else to.

Mr. STONE. May I ask the Senator from Nevada a question? The amendment proposed by the Senator, I understand, appropriates \$30,000,000 to be expended how?

Mr. NEWLANDS. For supporting ships to the fighting ships in our Navy.

Mr. STONE. In one year or a series of years?

Mr. NEWLANDS. The money will be available immediately to be used in the discretion of the Government.

SENATOR STONE SUPPORTS THE MEASURE.

Mr. STONE. It is estimated that \$30,000,000 will be sufficient to purchase 30 good, seaworthy ships of considerable tonnage.

I have felt, Mr. President, that there was at least a great deal of merit in the suggestion. I have not the profoundest faith that the bill now before the Senate which we are presumably about to vote upon will accomplish any adequate relief to the congested commercial condition which it is said exists. How great that congestion is, or how it may be augmented in the immediate future, is necessarily more or less a subject of conjecture.

But I doubt very much, Mr. President, whether any great number of ships will be offered to American citizens, and still more doubt whether American citizens would be willing to invest their capital in foreign ships, especially ships now owned by citizens or subject of belligerent countries, under the provisions of the bill. Of course, I hope that enough will be offered and enough purchased to relieve the exigency of the hour; but if that should not occur, as I fear it will not occur, then the difficulties confronting us remain. A citizen of the United States may not be willing to invest his money in foreign-built ships and foreign-owned ships under the provisions of the pending bill, but the Government of the United States might be willing to invest its money in the purchase of commercial ships. Far more is it probable that the Government would obtain 30 ships under this appropriation than that half that number will be bought by American citizens and put into over-seas traffic under the provisions of this measure.

Mr. President, suppose the Government does purchase these ships, will it have made a mistake? Has the public suffered or benefited by the purchase? If the Government does in a comparatively short time during the continuance of the stupendous struggle now being waged throughout Europe purchase 30 commercial ships for naval use, to be made a part of the naval force of this country, the ships could be utilized at once in carrying passengers and freights from any part of the United States to any foreign port in the world.

There would be certainly less objection to the utilization of commercial ships owned by the Government as an auxiliary to the armored Navy of the Government than to employ warships themselves in commercial uses; and afterwards, when the wars raging in Europe are at an end, the Government would still own these ships. Is it a bad thing for the Government to be in the ownership and possession of an auxiliary navy of that kind? It is always at our command to meet any kind of an emergency, not only such an emergency as confronts us now, but such as might confront us in the future, more directly and intimately concerning the welfare and the very life of the Republic itself.

I am not opposed to an auxiliary navy of this kind at any time; and it seems to me that there was never a time in our history when we had greater need of it than now. I will not say "never a time in our history," for there have been other times. There was in the War with Spain a time when we needed vessels of this character so badly that a large appropriation was made to hire them for our use. Occasions of that kind may arise at any time, and the occasion may be far more pregnant of peril to us than the one which confronted us during the War with Spain.

So far as I am concerned, Mr. President, I am disposed to support this amendment by my vote.

Mr. NEWLANDS. Mr. President, I introduce a bill providing for an auxiliary navy, embracing the provisions of the amendment which I have already offered to the pending bill. I ask that the bill may be inserted in the RECORD.

The VICE PRESIDENT. Is there objection?

Mr. O'GORMAN. What is the request?

The VICE PRESIDENT. The Senator from Nevada asks permission, out of order, to introduce a bill providing for an auxiliary navy, and to have it printed in the RECORD. Is there any objection? The Chair hears none, and it is so ordered.

The bill (S. 6246) providing for the purchase or construction of auxiliary ships for the Navy and for their use on commercial or Navy mail lines authorized by law was read the first time by its title, the second time at length, and referred to the Committee on Naval Affairs, as follows:

"A bill (S. 6246) providing for the purchase or construction of auxiliary ships for the Navy and for their use on commercial or Navy mail lines authorized by law.

"Be it enacted, etc., That the Secretary of the Navy is hereby authorized to purchase or to provide for the construction, either in the private shipyards of the United States or in the navy yards, or both, of 30 vessels suitable for use by the Navy either as auxiliary vessels, such as transports, fuel ships, dispatch boats, ammunition vessels, hospital ships, submarine and destroyer tenders, supply ships, cruisers, and scouts, or for use on such commercial or Navy mail lines as the Secretary of the Navy may now or hereafter be authorized by law to establish: Provided, That the cost in the aggregate of the aforementioned vessels shall not exceed \$30,000,000.

"Sec. 2. That the sum of \$30,000,000 is hereby appropriated, out of any money in the Treasury not otherwise obligated, to carry into effect the provisions of this act."

August 11, 1914.

The Senate resuming the consideration of H. R. 18202—
Mr. NEWLANDS. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Nevada will be stated.

The Secretary. It is proposed to insert as a new section the following:

"Sec. 6. The Secretary of the Navy is hereby authorized to purchase or to provide for the construction, either in the private shipyards of the United States or in the navy yards, or both, of 30 vessels suitable for use by the Navy either as auxiliary vessels, such as transports, fuel ships, dispatch boats, ammunition vessels, hospital ships, supply ships, and scouts, or for use on such commercial or mail lines as the Secretary of the Navy may now or hereafter be authorized by law to establish, not to cost in the aggregate to exceed \$30,000,000; and the sum of \$30,000,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry into effect the provisions of this section."

Mr. NEWLANDS. Mr. President, I am aware that many Senators who are disposed to support this proposal as proper legislation are disinclined to do so as an amendment upon this bill, and I wish to say in that connection that this is probably the only opportunity that we shall have to write this measure into the statute books.

The Senate will recall that it has already passed a bill, called the Weeks bill, which provides for the utilization in commerce of certain ships belonging to the Navy, not only in commerce in South American ports but with European ports. We have the statement of the Secretary of the Navy that there are some 20 ships belonging to the Navy that can be thus utilized. This is simply supplemental to the legislation which the Senate has already enacted and which is now under consideration by the Naval Committee of the other House. It simply recognizes the fact that our fighting ships will not have in case of war the support of supply ships, and that our fighting ships would be useless in the ocean in case of war without the aid of supply ships. It proposes, therefore, as a matter of national defense, to start upon the program of adding to our Navy those auxiliary ships that are absolutely essential for the support of the fighting ships in case of war, meanwhile utilizing them during times of peace for commercial purposes.

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

The roll call having been concluded, the result was announced—
yeas 20, nays 30, as follows:

YEAS—20.			
Ashurst	Clarke, Ark.	Jones	Overman
Borah	Colt	Lane	Pittman
Brady	Culbertson	Lewis	Poinexter
Bristow	Cummins	Martine, N. J.	Thompson
Clapp	Gronna	Newlands	Tillman
NAYS—30.			
Brandegee	Lee, Md.	Saulsbury	Swanson
Bryan	McCumber	Shafroth	Thomas
Chamberlain	Nelson	Sheppard	Thornton
Gallinger	O'Gorman	Shively	Vardaman
Hughes	Page	Simmons	West
James	Perkins	Smith, Ga.	White
Johnson	Pomerene	Smoot	
Kern	Ransdell	Sterling	
NOT VOTING—46.			
Bankhead	Goff	Norris	Smith, S. C.
Burleigh	Gore	Oliver	Stephenson
Burton	Hitchcock	Owen	Stone
Camden	Hollis	Penrose	Sutherland
Catron	Kenyon	Reed	Townsend
Chilton	La Follette	Robinson	Walsh
Clark, Wyo.	Lea, Tenn.	Root	Warren
Crawford	Lippitt	Sherman	Weeks
Dillingham	Lodge	Shields	Williams
du Pont	McLean	Smith, Ariz.	Works
Fall	Martin, Va.	Smith, Md.	
Fletcher	Myers	Smith, Mich.	

So Mr. NEWLANDS's amendment was rejected.

Mr. NORRIS. I desire to submit a request for unanimous consent. I gave notice the last time we had a morning hour, as provided by the rules, that I would offer an amendment to the rules. To-day during the morning hour we did not reach that part of the morning program prior to 2 o'clock, when the unfinished business was in order. I ask unanimous consent that the rule which I have proposed be printed and referred to the Committee on Rules. I understand the committee will meet in the morning, and that is the reason why I make the request now. (S. Res. 540.)

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. DILLINGHAM. Mr. President, I think it was a week ago to-day that the junior Senator from Missouri [Mr. REED] in speaking on the pending question made a most elaborate, carefully prepared, and eloquent address upon the subject of alien immigration. My purpose in what I have to say to-day is to confine myself to that phase of the pending question.

The President in his message, sent to Congress January 28, refusing his approval of House bill 6060, "An act to regulate the immigration of aliens to and the residence of aliens in the United States," said:

The literacy test and the tests and restrictions which accompany it constitute an even more radical change in the policy of the Nation. Hitherto we have generously kept our doors open to all who were not unfitted by reason of disease or incapacity for self-support or such

personal records and antecedents as were likely to make them a menace to our peace and order or to the wholesome and essential relationships of life.

He then proceeds:

In this bill it is proposed to turn away from tests of character and of quality and impose tests which exclude and restrict, for the new tests here embodied are not tests of quality or of character or of personal fitness, but tests of opportunity. Those who come seeking opportunity are not to be admitted unless they have already had one of the chief of the opportunities they seek, the opportunity of education. The object of such provisions is restriction, not selection.

Then the President proceeds to say:

If the people of this country have made up their minds to limit the number of immigrants by arbitrary tests and so reverse the policy of all the generations of Americans that have gone before them, it is their right to do so. I am their servant and have no license to stand in their way. But I do not believe that they have. I respectfully submit that no one can quote their mandate to that effect. Has any political party ever avowed a policy of restriction in this fundamental matter, gone to the country on it, and been commissioned to control its legislation? Does this bill rest upon the conscious and universal assent and desire of the American people? I doubt it. It is because I doubt it that I make bold to dissent from it. I am willing to abide by the verdict, but not until it has been rendered. Let the platforms of parties speak out upon this policy and the people pronounce their wish. The matter is too fundamental to be settled otherwise.

I have no pride of opinion in this question. I am not foolish enough to profess to know the wishes and ideals of America better than the body of her chosen representatives know them. I only want instruction direct from those whose fortunes, with ours and all men's, are involved.

IS THE SYSTEM OF REPRESENTATIVE GOVERNMENT A FAILURE?

Mr. President, it has seemed to me from such examination of this subject as I have been able to make that the President is very much mistaken in the facts upon which he assumes to base his action; that he is mistaken in his conception of the laws of the United States bearing on this question; and that he is not fully informed regarding the policy which has been adopted by Congress upon this subject. In his message he also assumes a position which, to my mind, is absolutely new in the history of the Nation. It is new in its arrogation of executive power. It is, in fact, a denial of all the principles of a representative government in the United States to-day.

Senators will remember that this same bill was introduced into this body in the Sixty-second Congress, that it was fully debated, received the fullest consideration, and passed the Senate by a vote of 56 to 9. It was then adopted in the House by a vote of 178 to 52, and was sent to the President for his approval. Instead of meeting the approval of President Taft the bill was returned to the House in which it originated, accompanied by a message in which he based his action upon reasons which were urged in a letter written to him by the Secretary of Commerce and Labor, Mr. Nagel.

Upon the question whether the measure should become a law notwithstanding the objections of the President the Senate answered in the affirmative by more than the necessary two-thirds majority, and in the House it only failed to receive the requisite two-thirds majority by perhaps four or five votes, showing that the sentiment of that Congress was overwhelmingly in favor of the principles embodied in this measure.

The same bill, with hardly a change in its phraseology, was introduced into the present Congress, passed the House by a vote of 252 to 156, and, after three weeks' debate in the Senate of the United States, passed this body by a vote of 50 yeas to 7 nays.

This bill, having been thus indorsed by two separate Congresses each coming fresh from the people, has now met with the disapproval of President Wilson, and for the reasons given in his message, from which I have already quoted.

It seems to me, Mr. President, a strange thing that the President of the United States should thus utterly ignore the existence of the representative principle in government and say, in substance, that the House of Representatives is incapable of dealing with this question as a policy, or that it is incapable of representing the opinion of the people of the United States, from whom its Members received their election. By his action he has said substantially that Senators now composing this body are incapable of interpreting the public sentiment, the thought, the judgment, the conviction of the people of their respective States, and in order to be convinced that the people are really behind this measure he demands that action by some political party be taken in favor of the policy of restriction, and that the question shall in that way be brought directly to the attention of the people and their verdict solicited. Let me read what he says:

It is because I doubt it—

That is, that the people approve this measure—

It is because I doubt it that I make bold to dissent from it. I am willing to abide by the verdict, but not until it has been rendered.

He says that he has a method of determining this question, and one only which will satisfy him. He says:

Let the platforms of parties speak out upon this policy and the people pronounce their wish.

He says further:

The matter is too fundamental to be settled otherwise.

Think of it, Mr. President! A matter of great national policy "too fundamental to be settled" by a House of Representatives, freshly chosen from the people every two years, and by the Senate of the United States, selected by the respective States to represent them in the legislative department of the Government.

POLITICAL PARTIES HAVE ALREADY SPOKEN.

The President seems to feel entirely justified in interposing a veto of this act upon the broad ground that he can only be convinced of what the people want when one or the other of the great parties of this Nation shall have incorporated the principle of restriction into its platform, and have gone to the country upon that issue. It is a remarkable attitude to be assumed by a man who is an historian. In reply, I need only to call attention to the fact that as early as 1896—I shall have occasion to refer to this matter later on in my remarks—the Democratic national convention adopted the following plank in its platform:

We hold that the most efficient way of protecting American labor is to prevent the importation of foreign pauper labor to compete with it in the home market.

The term "foreign pauper labor" must, of course, refer to the labor that comes from those nations of Europe where the wages are infinitesimal in character, where the laboring masses are largely lacking in the proper means of support, and where the standard of living conditions which exist in the United States is unknown.

It was, however, not only the Democratic Party which so long ago as that assumed this attitude, for the Republican Party, in its national convention of 1896 proposed this very measure, this very scheme for reducing the flow of immigration to this country of the classes indicated. In its platform in that year it declares:

For the protection of the quality of our American citizenship and of the wages of our workmen against the fatal competition of low-priced labor we demand that the immigration laws be thoroughly enforced and so extended—

Mark the words—

as to exclude from entrance to the United States those who can neither read nor write.

That was the declaration of the Republican Party in 1896, and it was the expression of a public sentiment in favor of restriction which then existed and which has been growing from that day until the present time.

DIFFERENCE IN CONDITIONS AT HOME AND ABROAD.

Why, Mr. President, the President of the United States seems to have wholly overlooked the development of public sentiment upon this question. He seems also to have overlooked the growth of a national policy, as expressed in various pieces of legislation, in which it has been sought to improve the quality and to restrict the flow of immigration to this country. He also utterly fails to recognize the difference in the conditions, industrial and legislative, existing prior to the year 1882 and since that time.

Up to 1882 we had received only about 9,000,000 immigrants, either before or after the Civil War. About 5,000,000 had come prior to that great conflict. During the busy years succeeding the Civil War, and down to 1882, we received that magnificent body of men, women, and children from northern and western Europe who, with those coming previously, have been so thoroughly assimilated and have so greatly helped to build up American institutions that their advent is counted as a national asset. We glory in the citizenship which they have developed.

The President, however, fails to understand, or perhaps fails to appreciate, the fact that since 1882 we have received not 9,000,000, which represented the immigration of all preceding years, but substantially 19,000,000 aliens, 11,000,000 of whom are of the new type, as we express it; a type differing from that which preceded it, one coming from eastern and southern Europe—Russia, Austria, Hungary, the Balkan States, southern Italy, and some nations farther east than those I have mentioned.

The President, when he spoke about the freedom of past immigration and of our generous spirit in receiving it, and in that part of his message where he refers to a denial of the generous spirit which has prevailed in the past, had in mind, I think, the immigration which came from Ireland between 1846 and 1854, during the period of the famine in that island, and that other body of immigrants which came from Germany at a later period, which in some part represented German revolutions and the dangers connected with citizenship in that country.

In the report of the Immigration Commission, volume 2, page 591, the commission, in discussing the steerage legislation, re-

ferred to this Irish immigration, and I beg leave to quote briefly from it:

The potato famine in Ireland occurred in the year 1847, and in consequence there was a great increase in emigration from that country, as well as from other parts of the United Kingdom. During the first six months of 1847 a total of 174,048 emigrants sailed from British ports to the United States and British colonies in North America. Of these, 101,767 were destined to the United States and 72,281 to the British colonies, chiefly, of course, to Canada. During the whole of the preceding year, 1846, the emigrants embarking at British ports for the United States and for British colonies in North America numbered, according to Hon. A. Dudley Mann, 82,289 and 43,439, respectively; a total of 125,728.

CONJUGAL RELATIONS.

This immigration to which the commission refers was peculiar in character and attractive in quality in this, that it came in families; that it came to remain permanently, to seek citizenship, and to improve the condition of those who composed it; in other words, that body of immigrants came here with the purpose to make the United States its home.

I find, in examining the records, that in nine years, from 1846 to 1854, we received from Ireland from 105,000 up to 221,000 annually, and that substantially 43 per cent of that entire number were females. The proportion of the unmarried was comparatively small, and the proportion of those who were married but failed to bring their wives with them was negligible.

In this connection, Mr. President, I ask leave to insert a table which gives the arrivals during each year and the percentage of females among them.

The VICE PRESIDENT. Without objection, it is so ordered.

The table referred to is as follows:

The volume of Irish immigration from 1846 to 1854, inclusive, and the percentages of females received.

Year.	Number.	Per cent.
1846.....	51,752	42.5
1847.....	105,536	42.1
1848.....	112,924	41.1
1849.....	159,398	40.0
1850.....	164,004	37.8
1851.....	221,250	42.3
1852.....	159,548	43.3
1853.....	162,649	42.4
1854.....	108,606	41.1
Average.....		43.3

Mr. DILLINGHAM. Mr. President, as the question of the relative number of males and females is one which must be noticed as we examine the history of immigration, in order to determine for ourselves the purpose with which the different classes of immigrants have come, I want also to make a comparison of the relative number of females in the immigration from the several countries which have been our contributors during the period 1899 to 1909, inclusive. During that period we received of the old immigration, those coming from Great Britain, Germany, the Scandinavian States, Belgium, and France, 2,273,782; but of the new immigration, coming from southern and eastern Europe, we received 5,930,252—a number twice greater than those of the old immigration, and among whom the proportion of females was vastly less. Let me give that proportion. Of the old immigration the proportion of females was 41.5 per cent of the whole, while of the new immigration it was only 27 per cent of the whole.

In connection with that I wish to introduce a table showing the relative number of males and females from each individual nation, constituting both the old immigration and the new, which I ask leave to insert in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The table referred to is as follows:

The immigration during the 11 years 1899–1909, inclusive.

Nationality.	Number.	Male.	Female.
		Per cent.	Per cent.
Old immigration.....	2,273,782	58.5	41.5
New immigration.....	5,930,252	73.0	27.0
Southern Italian.....	1,719,260	78.6	21.4
Hebrew.....	990,182	56.7	43.3
Polish.....	820,716	69.2	30.8
Slovak.....	345,111	70.3	29.7
Northern Italian.....	341,888	78.4	21.6
Magyar.....	310,049	72.7	27.3
Croatian and Slovenian.....	295,981	65.1	34.9
Lithuanian.....	152,544	71.1	28.9
Greek.....	177,827	95.4	4.6
Finnish.....	136,038	65.8	34.2
Ruthenian.....	119,468	74.0	26.0
Russian.....	66,280	84.6	15.4
German.....	682,995	59.4	40.6
Scandinavian.....	534,269	61.3	38.7
Irish.....	401,342	47.2	52.8
English.....	355,116	61.7	38.3

CONDITIONS WHICH INVITED OLD IMMIGRATION.

Mr. DILLINGHAM. It seems to me also, Mr. President, that in considering this matter the Chief Executive overlooks the wonderful development which occurred in this country during the period of the Germanic invasion. In some remarks submitted in the Senate when this bill was under consideration I called attention to the fact that between 1866 and 1882 we opened up a new agricultural area substantially as great as the whole area of Great Britain, of Switzerland, and of Greece combined. To resort to statistics and to state the matter accurately, let me say that during the 40 years succeeding the close of the Civil War the number of the farms operated in this country increased from 2,500,000 to 6,000,000.

During that same period there also came that great development in the railroad systems of the United States. We had passed a homestead law during the Civil War and opened our great Northwest to actual settlers and we had built the Pacific railroads. The result was that, with the confidence inspired by the restoration of the Union, capital was released and found investment in railroad construction and equipment to such an extent that during a period of 20 years succeeding the close of the Civil War no week day passed without witnessing the expenditure of a million dollars in such work.

It was the lure of the land, the attraction which the enterprises of America held out that invited this immigration from Germany, from Great Britain, and from the Scandinavian States, and they came with the full intention to become citizens of the United States, to take upon themselves the responsibilities of government as well as the privileges to be found under our institutions. They brought their wives, they brought their children, and they found permanent residences in the great new West. It was easy for them to acquire the English language. They came from the same racial stock which then constituted the population of the United States; acquaintances were soon formed; friendships followed; they very soon fitted into the social and political life of the Nation, and to-day their names are represented in this body and in the other body of this Congress in such large numbers that everyone can see just what an addition to the wealth of the Nation they constitute.

RELATIVE GROWTH OF OLD AND NEW IMMIGRATION.

It seems to me also that in the position which he has assumed the President has failed to contrast the conditions existing prior to 1882 and the conditions since that time in respect of the class and the quality of those who have sought our shores. Had he examined the records and studied them carefully he would have found that in a period of 62 years, extending from 1820 to 1882, 96 per cent of the entire body of immigrants admitted to the United States came from northern and western Europe, and that they constitute what the Immigration Commission has termed the "old immigration," to distinguish it from that new type of immigration which has been coming in such large bodies since that time.

Let me contrast that immigration coming from northern and western Europe during that period of 62 years, numbering 9,578,000—an immigration which, as I have said, was made up so largely of families and which came with the purpose to make homes in this country, to better their condition, and to cast their lot with us in every respect—let me contrast that, if you please, with the immigration which has followed in the last 33 years, a period only half as long as the other, during which time we have received 19,526,163 immigrants. Of this vast number only 7,566,000, or 38 per cent, came from the nations of northern and western Europe, while 11,960,000, or 61.2 per cent of the whole, came from Russia, Austria-Hungary, the Balkan States, Italy, and some of the smaller nations or principalities of southern and eastern Europe.

CONDITIONS WHICH INVITED THE NEW IMMIGRATION.

Have the latter class come with the purpose of making the United States their residence? Have they come with the purpose to assume the responsibilities of government, as well as to enjoy its advantages? Have they brought their wives? Have they brought their children? Are they actuated by a desire to enter into our life and to find their development under American institutions? In other words, have they sought the soil, or are they the denizens of the cities, belonging to a floating population, unrecognized by the permanent population except as so many labor units? Some have; some have not. Let us see about it.

I have already spoken of the large number of the old immigration that sought the soil and opened up farms. What about the new? If you will examine the census of 1910 you will find that during a period of 30 years, extending from 1880 to 1909, inclusive, we received of the new immigration from Austria-

Hungary 2,850,222 immigrants; from Italy, 2,801,976; and from Russia, 2,134,100; making a total of 7,786,218.

Where have they gone? What has been their occupation? The census enumerators tell us that in the year 1909 they found only nine-tenths of 1 per cent of these nationalities operating farms in the United States, either as owners or as tenants. Think of it! After 30 years' inflow of these nationalities less than 1 per cent of the men could be found operating farms in the United States. It indicates but one thing, that these millions have gone to the great centers of population; that they came here as common laborers, to take advantage of our superior conditions, to live low, hoard their savings, and eventually, in large numbers, to return to the countries from whence they came. They came here because of the phenomenal growth in the manufactures and in the mining industries of the United States.

Prior to 1860 manufactures had not flourished in the United States. The value of the output of our mills for that year was only about \$2,000,000,000; but through the confidence inspired by the result of the Civil War and by a belief in the legislative policies adopted by the American Congress, manufactures were encouraged, and in 1870 our output was equal to that of France. At the end of another 10 years it was equal to that of Great Britain or of Germany. In another 10 years, in 1890, the products of our mills were equal to those of Great Britain and France combined, and in 1900 they amounted to more than the combined manufactured products of Great Britain, Germany, and France. Since that time, in the last 10 years, the increase in the manufactured products of the United States alone has been more than seven thousand millions of dollars, while between 1880 and 1909, a period of 29 years, the products of our mines and quarries advanced from \$252,000,000 to \$1,238,000,000 annually.

It is unnecessary that I should go further into statistics. This growth in manufactures and mining has been phenomenal—something that the world has never witnessed in any other nation. As early as 1870 it was known that labor was demanded in these industries, and this new immigration began to flow into the United States to supply the demand. It naturally went to the seats of the industries. Since that time every succeeding influx of immigrants has followed that of the same nationality which came before; and you may lay it down as a rule, I think, they will continue to do so. They come to a large extent in consequence of letters which they have received from their friends in this country. That has been observed among all nationalities, and it has continued from year to year, until you can demonstrate the fact that wherever the first from a country or from a portion of a country settled others from that same section have also settled in the succeeding years.

To illustrate what I am saying and as a proof of the fact, let me say that 80 per cent of all the immigrants admitted in the year when a record was kept had in their possession when they landed railroad tickets from New York to the point of their destination, which had been sent to them from the United States, presumably by their friends, with whom they had been in correspondence. That explains why one generation follows another of the same nationality in seeking homes in this country. Substantially 94 per cent of all who were admitted during a given year gave as a reason for coming that they were to join friends or relatives. That is an additional circumstance indicating that the proposition I have made is correct.

MOVEMENT OF THE NEW IMMIGRATION IN THE UNITED STATES.

Where has this large immigration come from, and where has it gone? I have indicated in a general manner that it has gone to the cities, and that is true. I have in my hand a table showing the countries from which immigrants came for the fiscal year 1913, ending on June 30, from which I find that the whole immigration of that year amounted to 1,197,892. Of that vast number 899,308 were of the new immigration. Only 263,226 represented the old immigration, and only 35,358 represented that coming from the Asiatic countries. Of this immigration only 13,469 out of 1,197,000 were professional men, and only 160,108 out of that entire body were skilled laborers. All of the rest, 1,024,315, were either unskilled laborers or without occupation. That represents, of course, women and children.

Where did the immigration of 1913 go? I have chosen this particular year as indicative of others. I will speak of the immigration movement as a whole later on. Of the 1,197,000 immigrants of 1913, 168,952 went to the New England States; 574,633 went to the Middle Atlantic States, New York, Pennsylvania, and New Jersey; 265,355 went to the east North Central States, Michigan, Ohio, Indiana, Illinois, and Wisconsin. So, it appears that 1,008,940 out of the entire number went to the

States east of the Mississippi River, north of the Ohio, and north of Maryland. Almost the entire body, you may say more than 75 per cent of the whole, went to an area that constitutes only about 13½ per cent of the area of continental United States. That is the area in which, in round numbers, 75 if not 80 per cent of all the wages earned in manufactures in the United States are paid. It represents the district in which from 75 to 80 per cent of the manufactured products of the United States are produced; and it is to that area, east of the Mississippi and north of the Ohio, that the great bulk of this new immigration has gone.

Mr. President, I have full tables upon this subject, which I ask leave to insert.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Countries from which immigrants came for year of 1913, ending on June 30.

NEW IMMIGRATION.	
Austria	137,245
Hungary	117,580
Bulgaria, Servia, and Montenegro	1,753
Greece	22,817
Italy	265,542
Portugal	14,171
Roumania	2,155
Russian Empire	291,040
Turkey in Europe	14,128
Africa	1,400
Australia	1,229
Mexico	11,926
South America	4,248
West Indies	12,458
Pacific islands	111
Central America	1,473
Miscellaneous	23
Total	899,308

OLD IMMIGRATION.	
Belgium	7,405
Denmark	6,478
France	9,675
German Empire	34,329
Netherlands	6,902
Norway	8,587
Spain	6,167
Sweden	17,202
Switzerland	4,104
England	43,363
Ireland	27,876
Scotland	14,220
Wales	2,745
Other Europe	371
British North America	73,802
Total	263,226

ASIATIC.	
China	2,105
Japan	8,281
India	179
Turkey in Asia	23,955
Other Asia	838
Total	35,358

Mr. DILLINGHAM. Emigrants have departed from our shores for the countries comprising the "new immigration" to the number of 229,194 for the fiscal year ending June 30, 1913; for the countries comprising the "old immigration" to the number of 74,572 (of this number, 46,981 went to Canada) and 3,301 to Asiatic countries.

Of these, only 13,469 were professional men, 160,108 were skilled laborers, and 1,024,315 were unskilled or without occupation.

WHERE HAVE THESE IMMIGRANTS GONE TO?

Sections.	Arrived.	Departed.
New England States:		
Maine	6,624	655
New Hampshire	8,230	1,622
Vermont	3,608	557
Massachusetts	101,674	17,070
Connecticut	35,138	6,259
Rhode Island	13,678	2,593
Middle Atlantic States:		
New York	330,531	83,608
Pennsylvania	182,744	43,836
New Jersey	61,358	12,401
East North Central:		
Michigan	59,192	7,529
Ohio	63,007	13,238
Indiana	13,005	3,860
Illinois	107,060	24,178
Wisconsin	23,091	4,037
West North Central:		
North Dakota	4,285	229
South Dakota	1,641	196
Nebraska	6,086	695
Kansas	3,663	595
Minnesota	18,693	2,933
Iowa	8,666	1,387
Missouri	11,509	3,336

WHERE HAVE THESE IMMIGRANTS GONE TO?—Continued.

Sections.	Arrived.	Departed.
Mountain States:		
Montana.....	5,796	955
Idaho.....	1,682	385
Wyoming.....	1,160	505
Nevada.....	1,000	402
Utah.....	2,932	1,349
Colorado.....	5,673	1,664
Arizona.....	3,945	613
New Mexico.....	758	245
Pacific States:		
Washington.....	18,313	2,827
Oregon.....	4,894	1,385
California.....	32,277	8,120
West South Central:		
Texas.....	11,214	806
Oklahoma.....	1,018	235
Arkansas.....	353	56
Louisiana.....	1,774	423
East South Central:		
Kentucky.....	761	176
Tennessee.....	818	134
Mississippi.....	415	41
Alabama.....	1,170	375
South Atlantic:		
Delaware.....	1,810	242
Maryland.....	8,168	1,146
Virginia.....	1,822	407
West Virginia.....	10,472	3,492
North Carolina.....	429	80
South Carolina.....	258	53
Georgia.....	787	158
Florida.....	5,352	2,520

Races admitted into the United States for year ending June 30, 1913.

NEW IMMIGRATION.	
Armenians.....	9,353
Bohemians and Moravians.....	11,091
Bulgarians, Servians, and Montenegrins.....	9,087
Croatian and Slovenian.....	42,499
Cubans.....	3,099
Dalmatian, Bosnian, and Herzegovinian.....	4,520
East Indians.....	188
Finnish.....	12,756
Greeks.....	38,644
Hebrews.....	101,330
Italian (south).....	231,613
Italian (north).....	42,534
Lithuanian.....	24,647
Magyars.....	30,610
Polish.....	174,365
Portuguese.....	13,566
Roumanians.....	13,451
Russians.....	51,472
Ruthenians.....	30,588
Slovak.....	27,234
Syrians.....	9,210
Turkish.....	2,015
Africans.....	6,634
Mexicans.....	10,954
West Indians.....	1,171
Total.....	902,631
OLD IMMIGRATION.	
Dutch and Flemish.....	14,507
English.....	55,522
French.....	20,652
German.....	80,865
Irish.....	37,023
Scotch.....	21,293
Spanish.....	9,042
Spanish-American.....	1,363
Welsh.....	2,820
Scandinavians.....	38,737
Total.....	281,824
ASIATIC.	
Chinese.....	2,022
Japanese.....	8,302
Korean.....	64
Total.....	10,388
New Immigration.....	902,631
Old Immigration.....	281,824
Asiatic.....	10,388
Whole immigration.....	1,194,843

Mr. LEA of Tennessee. Mr. President, will the Senator from Vermont yield to me to give notice of a motion?

Mr. O'GORMAN. Mr. President—

Mr. DILLINGHAM. In just a moment. I want to finish one table of figures here. It will take me only a moment, if the Senator will wait.

RELATIVE INCREASE OF NEW RACES WHO DWELL IN CITIES.

The impress which this new immigration is making upon the character of the population of the United States is very clearly shown by the census of 1910, covering the census years between the years 1900 and 1910, from which it appears that there was an actual decrease in the number of foreign-born population of

the United States which came from Germany of 11.1 per cent, a decrease in those born in Ireland of 16.3 per cent, and a decrease of those born in Wales of 11.8 per cent. On the other hand, what was the increase coming from the nationalities of the new immigration? It was as follows: Those from Greece, 1,089 per cent; those from Italy, 175.5 per cent; those from Russia and from Finland, 170.4 per cent; those from Austria, 139.2 per cent; Hungary, 240.1 per cent; and of this vast number 75 per cent went to the cities of the Nation.

Now I yield.

Mr. O'GORMAN. Mr. President—

Mr. DILLINGHAM. I yield to the Senator from New York. Mr. LEA of Tennessee. Mr. President, will the Senator yield to me for a moment to give notice of a motion?

Mr. O'GORMAN. Mr. President—

Mr. DILLINGHAM. I had yielded to the Senator from New York. I will be glad, of course, to—

Mr. O'GORMAN. Mr. President—

Mr. LEA of Tennessee. Will the Senator from New York yield to me for a moment to give a notice?

Mr. O'GORMAN. The motion I have to make will take only a moment. Mr. President—

The VICE PRESIDENT. The Senator from New York.

Mr. O'GORMAN. I move that we take a recess—

The VICE PRESIDENT. We might just as well know "where we are at" right now. The Chair has been in the habit of treating Senators on each side of the Chamber courteously. They have been in the habit of doing things which were not provided for by rules, but have grown out of custom. It has been done as much by one side as by the other. All this day Senators have been coming up and serving notice that they desired to be recognized, and the Chair has recognized them in regular order. The Chair promised to recognize the Senator from Tennessee, and the Chair does not recognize the Senator from New York for the purpose of making a motion.

Mr. LEA of Tennessee. Does the Senator from Vermont now yield to me, then?

Mr. DILLINGHAM. I have no objection to yielding to the Senator. I do not want to be taken off the floor; that is all.

Mr. LEA of Tennessee. I send to the desk and ask to have read notice of a motion I intend to make.

Mr. O'GORMAN. Mr. President, what becomes of my motion?

The VICE PRESIDENT. The Chair had not recognized the Senator from New York for the purpose of making a motion.

Mr. O'GORMAN. With great deference, I appeal from the decision of the Chair.

The VICE PRESIDENT. There is no appeal from recognition by the Chair. There is no occasion to have any trouble about this proceeding; it is just, fair, and decent. The Secretary will read.

The SECRETARY. The Senator from Tennessee [Mr. LEA] gives notice of his intention to offer a motion to amend the rules as follows:

Insert after the words "to lay on the table," in Rule XXII, the following:

"Any Senator arising in his place and asserting that in his opinion an attempt is being made on the floor of the Senate to obstruct, hinder, or delay the right of the Senate to proceed to a vote, the Chair shall, without permitting any debate thereon, put the question to the Senate. 'Is it the sense of the Senate that an attempt is being made to obstruct, hinder, or delay a vote?' And if that question shall be decided in the affirmative, then it shall be in order, to the exclusion of the consideration of all other questions, for any Senator to move to fix a time for voting on the pending bill or resolution and all amendments thereto, and the said motion shall be decided without debate: *Provided, however*, That the time fixed in said motion for taking the vote on the pending bill or resolution and all amendments thereto shall be at least two calendar days after the day on which said motion is made, during which period no one Senator shall occupy more than one hour of time."

Mr. GALLINGER. It will go over under the rule.

The VICE PRESIDENT. It will go over under the rule.

Mr. O'GORMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from New York?

Mr. DILLINGHAM. I do.

Mr. O'GORMAN. Do I understand the ruling of the Chair to be that under the circumstances the Chair will not entertain a motion from a Senator?

The VICE PRESIDENT. The Chair will entertain a motion now.

Mr. O'GORMAN. I move that the Senate take a recess until 12 o'clock to-morrow.

Mr. KERN. I move that the Senate do now adjourn.

The VICE PRESIDENT. The Senator from Indiana moves that the Senate adjourn. [Putting the question.] The ayes seem to have it.

Mr. LODGE. I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. THOMPSON. I am paired with the junior Senator from Idaho [Mr. BRADY]. I should like to know whether he has voted.

The VICE PRESIDENT. He has not.

Mr. THOMPSON. I withhold my vote.

The result was announced—yeas 49, nays 40, as follows:

YEAS—49.

Ashurst	Kenyon	Pittman	Smith, S. C.
Bryan	Kern	Pomerene	Stone
Chamberlain	La Follette	Reed	Swanson
Chilton	Lane	Robinson	Thomas
Crawford	Lee, Tenn.	Saulsbury	Thornton
Culberson	Lee, Md.	Shafroth	Tillman
Cummins	Lewis	Sheppard	Vardaman
Fletcher	Martin, Va.	Shields	Walsh
Gore	Martine, N. J.	Shively	White
Hollis	Myers	Simmons	Williams
Hughes	Newlands	Smith, Ariz.	
James	Norris	Smith, Ga.	
Johnson	Overman	Smith, Md.	

NAYS—40.

Bankhead	Dillingham	Lodge	Root
Brandegge	du Pont	McCumber	Sherman
Bristow	Fall	McLean	Smith, Mich.
Burleigh	Gallinger	Nelson	Smoot
Burton	Goff	O'Gorman	Stephenson
Camden	Gronna	Oliver	Sterling
Catron	Hardwick	Page	Sutherland
Clark, Wyo.	Hitchcock	Penrose	Townsend
Clarke, Ark.	Jones	Perkins	Warren
Colt	Lippitt	Polindexter	Works

NOT VOTING—7.

Borah	Clapp	Ransdell	Weeks
Brady	Owen	Thompson	

So the motion was agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 12, 1915, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 11, 1915.

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

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

Increase, O Lord, our devotion in the things which make for righteousness in the soul that faith may abound, hope increase, and love bind us together more closely in our homes, our friendships, and as citizens of a great Republic, that we may march on under the white banner of peace toward that kingdom for which we pray that it may come in all fullness, and Thy will be done on earth as it is in heaven. Amen.

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

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 21318) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Executive Mansion: For ordinary care, repair, and refurnishing of Executive Mansion, and for purchase, maintenance, and driving of horses and vehicles for official purposes, to be expended by contract or otherwise, as the President may determine, \$35,000.

Mr. GILLET. Mr. Chairman, I move to strike out the last word. The chairman of the committee the other day made some comment about economies of the Committee on Appropriations which I at that time questioned. I have looked the matter up, and I find the facts rather confirm the statement of the gentleman. I find that in the session 1914-15 the appropriations made by Congress amounted to \$1,116,000,000, whereas the estimates which were sent in amounted to \$1,152,000,000; so in that year the estimates exceeded the appropriations by \$36,500,000. In the year preceding the appropriations were \$1,098,000,000, while the estimates were \$1,150,000,000; so in that year the estimates

exceeded the appropriations by \$51,500,000. In the year preceding that the appropriations were \$1,019,000,000, while the estimates were \$1,040,000,000; so the estimates then exceeded the appropriations by \$21,000,000. In the year preceding that, 1911-12, the appropriations were \$1,026,600,000, while the estimates were \$1,026,200,000; so that there was a difference of \$400,000, and for the first time the appropriations exceeded the estimates. In the year preceding that, 1910-11, the appropriations were \$1,027,900,000 and the estimates were \$1,028,100,000; an excess of estimates over appropriations of \$200,000. This indicates that year by year for the last five years the estimates have been increasing over the appropriations, until for the last year the estimates were \$36,000,000 more than the appropriations. This confirms the statement that the legislative is more economical than the executive department, and yet, if you think of it for a moment, it does not really reflect much credit on either Congress or the Executive. It does not show that there is much real economy in either branch of the Government, and under our present system of passing appropriation bills and the present system of making estimates that must be so, because the executive departments need some reform just as much as Congress does.

According to the present system each department sends in its estimates, not to the head of the Government, the responsible head—the President—but each department sends in its estimates simply to the Secretary of the Treasury and the Secretary of the Treasury transmits them to Congress, and they do not go to the President at all, I presume, unless under the circumstances prescribed by the Smith amendment, where the estimates of expenses exceed the estimated revenues; then the President is called upon to make some recommendation to Congress to relieve the discrepancy. Otherwise, unless the President wishes to go into this enormous detail of figures—and I suspect that no Presidents have ever done so—there is no head who looks into the estimates of expenditures and tries to reduce them or to see whether they are proportionate to the condition of the Treasury.

Mr. FESS. Will the gentleman yield?

Mr. GILLET. Certainly.

Mr. FESS. Upon what theory are we proceeding that would suggest that the President should see what the appropriations should be, whether they should be higher or lower?

Mr. GILLET. Well, I do not say he should. Very likely he has too much else to do there to study these figures. But I think it would be wise that there should be somebody who has the responsibility and who should compare the estimates and appropriations and before they come here suggest what is desirable and what is not, but under the law now each head of a department simply recommends what he wants, because each head of a department has a motive in getting just as large an appropriation for his department as he can.

Mr. FESS. Why would it not be better for us to have the budget system?

Mr. GILLET. I agree entirely that it would. What I am suggesting now is along that line, that there is need of a budget system and that there is some need of the executive as well as the legislative branch contributing its efforts toward a budget system. I am simply illustrating now that at neither end of the Avenue is there any arrangement which conduces to economy, because, as I say, each head of a department wants to get all he can and each committee has something of the same disposition. I do not say it in the line of criticism of the departments, because I think it is not only natural but human.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GILLET. Mr. Chairman, I would ask for five minutes more.

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

Mr. GILLET. It is not only natural but it is commendable that the head of a department should have that disposition, because I suppose every head of a big department and every head of a bureau under him sees before him possibilities of doing good in his department for the country at large. If he does not see such possibilities, if he is not a man of enthusiasm who, when he gets into a department, constantly sees the outlook broadening and reaches out for methods by which he can make improvements, I do not think he is a proper man for his department. Such enthusiasm and ambition and desire to broaden the activities of his department is a necessary qualification of a good Cabinet officer.

But while he sees these opportunities there must somewhere be another agency which shall compare the expense with the resulting benefits and also with the condition of the Treasury. So that it seems to me it is wise and proper and to be expected

that the different heads of departments and heads of bureaus will always be reaching out for money and reaching out to enlarge their functions; and then it is the duty of the other department—it is our duty—to look over the whole field and say where they shall be checked and where it is extravagant and where it is not. So that simply points to the result which I meant to bring out, that as at present constituted there is nowhere, there is not in the executive department, anything which tends to check expenses, but, on the contrary, the whole tendency is to increase expenses. And I say it without any reflection upon the individuals; but it is simply a part of our system. And in the House and in the Senate a similar system prevails, so that we as individuals are always wanting to increase expenditures, and everybody is looking for an appropriation, because all our districts are pressing upon us. So everywhere in the executive department, which makes the estimates, and in the legislative, which passes upon them, there is a constant impulse toward expenditure and no impulse toward economy except what the committee may have for the good of the public service.

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

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

Mr. GILLET. I do.

Mr. GOULDEN. It seems from the statement just made that no one short of the Congress has the power to examine into and determine the necessity of the various estimates made by the different departments.

Mr. GILLET. Oh, yes; the President has the power, but it is not in practice part of his duty.

Mr. GOULDEN. Let me ask this question: Would the various committees on expenditures in the different departments created by Congress have any power to investigate as to the estimates made by the various departments over which they are supposed to exercise at least some authority?

Mr. GILLET. You mean the committees on expenditures in the departments?

Mr. GOULDEN. Yes.

Mr. GILLET. I suppose they have that power.

Mr. GOULDEN. Then those committees could be quite useful, it seems to me, to investigate and examine into these things, and—

Mr. GILLET. I will agree to that—

Mr. GOULDEN. And would almost take the place of the budget system. At least they would act as a check, and tend to keep the expenses down to the actual needs of the Government.

Mr. GILLET. They could do that, but they do not.

Mr. GOULDEN. I wanted to know if they have the authority, in the judgment of the gentleman from Massachusetts.

Mr. GILLET. Yes.

Mr. MARTIN. Mr. Chairman, for one I am obliged to the gentleman from Massachusetts [Mr. GILLET] for collecting these figures, and it will be observed that they confirm the suggestion I made a few days ago, that the estimates from the various departments for a number of years have been considerably in excess of the actual appropriations made by Congress.

I think the question which is under consideration as to how to bring about real economy in the administration of the Government and the apportioning of appropriations is a very vital one, and I think the Smith amendment is in the right direction. If the Executive and the executive departments in the first instance were expected to and actually did make some serious comparison between the anticipated revenues and the anticipated expenditures and should send their estimates to Congress, the one having reference to the other, that would be beneficial, so far as a contribution can be made to this subject of economy from the Executive and the executive departments.

On the other hand, as I believe I stated a day or two ago, the real responsibility in these matters is in the last analysis upon the Congress, where the Constitution has placed it. I think it is placed wisely upon the Congress, and that the Constitution has been the result of the experience of governments for many centuries, that the representative branch of the Government and that of the short-term representatives, comparing with our House of Representatives, should be the body that initiates revenue and appropriation measures.

Now, as a practical way of holding down appropriations in the legislative body, in Congress, I believe that a suggestion made a few days ago has a good deal of practical merit. If there could be a general advisory committee on expenditures, consisting, perhaps, of the chairmen of the appropriating committees of this House and the chairmen of the appropriating committees of the Senate, it would be beneficial, because despite whatever we may do here, unless it receives some cooperation

at the other end of the Capitol, we find ourselves constantly in controversies over these matters, and the House ideas are increased uniformly at the other end of the Capitol. If there could be an advisory committee of that kind, which could take up the estimates of expenditures and the estimates of the revenues for the coming fiscal year during each Congress and then render a report, upon which they would make what in their judgment would be a proper apportionment of the expenditures for the coming fiscal year, which would be advisory to Congress, it would at least give us something to work to, and while in the end Congress would itself determine these questions, we would have before us constantly the result of a very capable committee advising both Houses of Congress as to how the apportionment of the appropriations for any fiscal year should be made with reference to revenues.

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

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

Mr. MARTIN. Yes; I yield.

Mr. BATHRICK. I am very much interested in the gentleman's outline of the means of curtailing unnecessary appropriations, and I think his judgment is very sound in the matter. But I would like to get into the RECORD here, very briefly, if the gentleman will permit, the fact that last year I introduced a bill in the House designed to have a new committee authorized, known as the "buying and selling committee," the purpose being to coordinate our buying facilities, which I think would operate also to a very great degree toward reducing the expenditure of money, which is a coordinate branch of appropriations.

Mr. MARTIN. That, I think, is a very good suggestion in the interest of economical expenditures, but of course it does not meet the general problem which we are constantly facing, namely, in every session of Congress to keep a proper relation between the expenditures and receipts for the fiscal year for which we are providing on a basis that will make the Public Treasury always sound, and not bankrupt, when we come to the actual expenditures of the moneys of the people. And the mischief of our present system, in my judgment, is that there is nowhere a body, either in this House or in the other House, or what would be more efficient, to my mind, a combined committee of both, that takes into serious consideration the question of expenditures and receipts.

I do not think the problem would be solved by giving any particular committee of this House further powers than it now has. I think it must be in the nature of things a union of both Houses in the sober effort to compare and adjust probable revenues with probable expenditures and the meeting of the problem; and I think the advice of that sort of a committee, while it would not be final, would be observed at both ends of the Capitol with a great deal of seriousness.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, if I may have the attention of the chairman of the committee for a moment, I would like to talk a few minutes in regard to the survey of the Alaskan coast at this time. I will be frank with the gentleman; I expect to leave the city by the middle of the afternoon to go to Boston for the purpose of speaking to-morrow night.

Mr. FITZGERALD. I understand that the gentleman will not be present when the item is reached.

Mr. HUMPHREY of Washington. Probably not. It is on page 133, and I will ask permission to speak on it at this time.

Mr. FOSTER. The gentleman is going to talk on the subject?

Mr. HUMPHREY of Washington. I am going to try to.

Mr. DIES. How much time does the gentleman want?

Mr. HUMPHREY of Washington. I think I can get through in 10 minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that he may proceed for 10 minutes to address the committee on an item under the Coast and Geodetic Survey. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I thank the gentlemen of the committee for the courtesy. The item I refer to is on page 133:

For surveys and necessary resurveys of coasts on the Pacific Ocean under the jurisdiction of the United States, including \$50,000 to be immediately available, \$200,000.

NECESSITY FOR SURVEY OF PACIFIC COAST WATERS.

The President, in his message at the beginning of this Congress called attention to the neglect in making suitable appropriations for the survey and the proper lighting of Pacific coast waters, and particularly along the coast of Alaska. In so doing

the President deserves the thanks of the people of the United States and all humanity. He especially deserves, and has received, the thanks and praise of the people of the Pacific coast for thus bringing to the attention of Congress this important matter.

The whole Nation owes a debt of gratitude to Secretary Redfield for the forcible and persistent way in which he has brought this matter to the attention of Congress and to the attention of the country. Our neglect to take steps to increase the safety of navigation in the waters of the Alaskan coast can only be characterized as shameful and discreditable, for, notwithstanding all the efforts of the Secretary of Commerce and of the Members of the Washington delegation, Congress at the last session refused to make any appropriation for this purpose whatever.

The waters of Alaska are among the most dangerous of all the seas, and, to the everlasting discredit of this great Nation, which annually pours out its countless millions, these waters are the poorest lighted and the most inadequately surveyed of all the navigable waters of the world. This is the universal testimony of all seafaring men who are familiar with the Alaskan coast. This neglect of this great Nation of these waters is most graphically written in many tragedies. Since Russia sold us that Territory more than 280 ships have gone down in Alaskan waters, over 400 lives have been lost, and more than \$12,700,000 worth of property destroyed. Most of these frightful disasters have been within recent years. I have here a list of these tragedies of the sea, giving the date of the wreck, the place, and the loss in lives and property. This list, long as it is, gives only those vessels that were totally wrecked, and even that is not complete. I have no list of the many accidents where vessels were badly damaged but not completely destroyed. I shall insert in the Record this list of vessels, that Congress and the whole country may look upon it and behold the result of our negligence. I will insert it in the Record, where it will ever "cry out, trumpet-tongued, against the deep damnation" of the indifference and the ignorance and the criminal neglect of this great and rich Nation. It is, indeed, a gruesome list. The one I hold is most appropriately printed upon black paper. It is a long list of disaster, destruction, and death. I hope it may burn its way into the memory of every Member of this House so deeply that all the speeches and selfish and ignorant cries about economy that may hereafter be made against these appropriations will not dim it.

CONGRESS NOW ALONE TO BLAME.

No adequate steps have been taken to lessen the menace to life and property in these most dangerous seas. Each year the death toll increases as our trade with Alaska increases. For this present criminal neglect Congress alone is responsible. Secretary Redfield has done his part courageously and well. He has pointed out definitely and with a detail of humiliating and discreditable facts that none disputes where the trouble lies and what should be done. He has asked for money that the Alaskan coast may be properly surveyed and lighted, in order that life and property may be reasonably well protected. He points out definitely how this money should be used. He does not ask for a vast sum of millions, but asks only for a comparatively insignificant amount when compared with our aggregate expenses or when compared with the appropriations we make for many other purposes that are neither cases of emergency nor of great necessity.

The President, the Secretary of Commerce, and the Representatives from the Pacific coast, both in the House and Senate, have now so clearly brought the facts before Congress that ignorance can no longer be pleaded in extenuation if we longer neglect to make the proper appropriation for the protection of the Alaskan coast. If we longer refuse to make these necessary appropriations, then Congress is willfully responsible for the tragedies that will occur through our refusal.

EQUIPMENT.

You may ask, Is the Government doing anything in the way of surveying and charting the Alaskan waters? Very little, but it is no fault of the department. Congress has refused to give them suitable equipment, or even to make sufficient appropriations to adequately carry on the work with such equipment as they now have.

What of the outfit that this richest of all the nations furnishes the Coast and Geodetic Survey to work in the stormiest and roughest of all the waters of the world along more than 25,000 miles of Alaskan coast? It is with a feeling of shame for Congress and the country that I relate some of the humiliating facts.

I wish I had the power to draw you an adequate word picture of the antiquated, dilapidated, rotten, and rusted rendezvous of cockroaches and rats that are called Coast and Geodetic Survey

vessels that we have compelled the department to use for this work.

There are three of these vessels, and I am pleased to report that one of them is so old and unseaworthy that it could not be taken to the Pacific coast and so remains, much to our profit, on the Atlantic. There are two of these aged sea coffins that even "the ancient mariner" would have considered antique, on the Pacific coast. Both of these vessels were built over 40 years ago. Their age only commands reverence and respect. One is called the *McArthur*. I will attempt to describe it, for the other is like unto it in decrepitude, decay, and approaching dissolution. The description of the one is a description of the other.

The *McArthur* has been in use by the Government over 39 years. It cost \$55,000. It has cost the Government to keep this hoary old craft in repair for the last 10 years \$31,234. This expenditure did not make it efficient. It simply kept it from sinking. It can be used only in quiet waters and is dangerous in a heavy sea. For this reason it can be used only a small portion of the time in even attempting to work. This is also true of the other vessel. Neither of these vessels has wireless equipment or a cold-storage plant or a condensing outfit for fresh water or bath or adequate quarters for either officers or crew. The officers live, eat, and sleep and do their work all in one room. After the evening meal is served hammocks are swung above the dining table; in these the officers sleep. Two petty officers sleep in one room 8½ by 4 feet; three men sleep in another room 5½ by 11 feet; three sleep in another room 12 by 5 feet; three in another room 5½ by 7. Eighteen men are provided with three washbasins. If this was a commercial vessel, the Government inspectors would not permit it to go to sea, and the quarantine officers of any port would put its commander in prison and order a cremation of this floating pesthouse to protect the public health.

If this symbol of our country's greatness is anywhere matched upon all the "salted seas," it is by its ancient companion in decrepitude and inefficiency the *Gedney*. The *Gedney* is of the same age as the *McArthur* and in practically the same condition. It cost \$63,400, and the repairs for the last 10 years made upon it have cost \$21,600. Her equipment is similar to that of the *McArthur* and the arrangements for the officers and men practically the same. Of course with all the large expenditures for repairs these ships have never been fit to properly or economically do the work for which they are assigned.

MENACE TO NAVIGATION.

The waters of Alaska are deep, but during many months of the year they have but little daylight, and much of the time are beset by storms and fog. All these deep waters are filled with sharp, pinnacle rocks, many of them coming near the surface. These rocks are the greatest and most deadly of all menaces to navigation. But few of these many rocks along the Alaskan coast have been located. They can not be found with an ordinary lead line. Often the lead line will show a few feet from one of these dangerous points, coming almost to the surface, 50 or even 150 feet of water. Our charts report many fathoms of water at the very spot where many ships have struck one of these pinnacle points and gone to the bottom. A typical case is that of the *California*, in the very center of the channel, where the Government chart shows 60 feet of water. The *California* struck one of these rocks, her whole bottom was torn out, and she sank in three minutes. The vessel, the cargo, and 31 lives were lost. The *Pennsylvania*, the *Armeria*, a Government vessel, and many others have met the same dreadful fate in the same way. There is as yet known to men but two ways to locate these rocks—one by striking them with a vessel and the other with a wire drag. The first method has been generally followed in Alaska, and for the following of this method Congress is largely responsible. This method has cost millions of dollars and many lives. The second plan would cost but a few thousand dollars, but Congress, in its wonderful wisdom, still insists on the first method. It refused last year to appropriate anything for a wire drag.

In Tongass Narrows alone to-day are found the Potter Rock, the Ohio Rock, the Idaho Rock, and the California Rock. Each of these rocks bears the name of the doomed ship that struck them and went to the bottom. Each of these rocks is a grave-stone telling of disaster and death. Each of them is a costly monument proclaiming the ignorance, the indifference, and the neglect of Congress.

Last year, out of money that was badly needed for other purposes, a small amount was used for working a wire drag in one of the main channels of navigation between Alaska and Seattle, a channel through which approximately 2,000 passages were made last year. The vessels passing through this strip of water carried last season over 43,000 passengers. A portion

of this main channel of navigation, 40 miles long and from three-fourths of a mile to 5 miles wide, was surveyed by a wire drag. The result was appalling. In that comparatively small space of one of the most traveled highways of navigation 14 dangerous pinnacle rocks were found. The presence of none of these was known before. These rocks rise abruptly from a depth of from 40 to 600 feet. In six cases these rocks were less than 8 feet from the surface, and in no case more than 30 feet.

With these facts before us, of the immense number of rocks found in so limited an area, and when we remember the vast coast line of Alaska of more than 25,000 miles, it is no wonder that so many vessels have been wrecked in these waters, but the wonder is that so few have gone to the bottom.

With these facts now called to our attention specifically in the report of the Secretary of Commerce, with the President urging the necessity upon us of these appropriations in the name of commerce and humanity, if Congress should again refuse to give the necessary sums for this purpose we would be little short of being personally responsible for the awful tragedies that would be certain to occur hereafter as the result of our neglect. Last year, be it said to our everlasting shame, we refused to appropriate \$40,000 to be used in operating a wire drag in these most dangerous of all waters to locate these pinnacle rocks, the greatest of all menaces to navigation.

In the name of economy we refused to appropriate \$40,000 to protect \$67,000,000 worth of commerce and the ships that carried it that traversed these waters. Last year we refused in the name of economy to appropriate \$40,000 to protect from these hidden dangers the lives of more than 43,000 passengers. Last year in the holy name of economy we refused this small appropriation, but in the same bill we appropriated \$400,000 to purchase additional land for the site of a public building in Richmond, Va. Forty-three thousand lives, \$67,000,000 worth of commerce, and many ships could wait for protection, but even the virtuous cry of economy could not prevail against the terrible emergency for an immediate appropriation of \$400,000 to buy additional land for a public building in this southern city.

In this same bill, while \$40,000 was denied to protect life and property in the waters of Alaska, \$50,000 was appropriated to erect a monument to the memory of some great man whose name I do not now recall and whose name not one-half of the American people ever heard. This was another emergency against which holy economy could not prevail. What monstrous deeds are committed in the name of economy! Fifty thousand dollars to erect a monument to the memory of one that is dead, but nothing for the protection of the 43,000 living!

I make no criticism of the appropriation for the erection of this monument to honor one of our heroic dead; I make no criticism of the appropriation at Richmond; but doing these things, and then refusing in the name of economy to give a penny to protect life and property in the waters of Alaska, and to do this in the name of economy, is what I am criticizing. It is such performances as this that make many doubt our sincerity or our sanity.

AMOUNT NEEDED.

But what would it cost to provide a wire drag to locate the dangerous rocks in these dangerous waters and bring reasonable protection to life and property? It would cost about \$50,000 per year. And how long would it take to do this work and clear the main passages? Not more than two years. Yet, notwithstanding these facts, last year Congress absolutely refused to appropriate a single dollar for this purpose.

The total amount asked for by the Department of Commerce to be used by the Coast and Geodetic Survey in this work on the Pacific coast, including the construction of three vessels, one of them a lighthouse tender, would be about \$800,000, a sum less than the value of the ships belonging to the Government that have been lost in Alaskan waters within the last four years. Leave out entirely all questions of commerce; leave out the value of human life endangered; consider only the protection to Government vessels, and still it would be economy for us to survey and light Alaskan waters for this purpose only.

The Department of Commerce has asked for an immediate appropriation of \$800,000, to be used in this work. Every cent of it should be appropriated at this session. No other appropriation that comes before this House is so urgently needed, except only those necessary to keep the departments of Government running. We are expending millions of dollars to construct railroads in Alaska. We are trying to develop the wonderful resources of that wonderful Territory. Our commerce is rapidly increasing; each year more ships navigate these dangerous waters; but so far we have viewed with indifference the losses of property and life along the stormy coasts of Alaska.

THE ECONOMY OF IGNORANCE.

Leave out of the question the fact that millions of dollars' worth of property and many ships have been lost because the character of vessels that are furnished to the Coast and Geodetic Survey has made it impossible to perform the same work that would have been done by modern vessels, and still the keeping in service of these old ships by the Government, owing to the heavy repairs necessary and their unfitness, has made it the grossest and most inexcusable extravagance. These vessels have been a continual source of waste of public money and have given no adequate return.

The refusal to replace with new and modern vessels especially designed for the work they should perform those ancient derelicts now used, those floating palaces of a nation's generosity that declare the glory of the great Republic and the serene wisdom of Congress; the refusal to provide the best and most modern means of surveying these Alaskan waters; the refusal to properly light these stormy shores; the refusal to furnish a proper vessel for the Lighthouse Service—this neglect and refusal to give appropriations necessary to protect the great commerce of the Alaskan seas and the lives of those who must traverse them is the most striking, shameful, and costly example in our Nation's history of the economy of ignorance.

Mr. MARTIN. How near the surface do these pinnacle rocks come of which you have spoken?

Mr. HUMPHREY of Washington. All these 14 were within 30 feet, and I think, with the exception of perhaps 2, were within less than 20 feet, and most of them from 8 to 10 feet below the surface.

Mr. JOHNSON of Washington. After these pinnacle rocks are discovered, what is done with them? Are they charted?

Mr. HUMPHREY of Washington. As soon as these pinnacle rocks are located they are marked with buoys, where that is practicable, and in some places with a light; sometimes they are removed, but the Secretary of Commerce has said that in some instances, even after they have located these rocks, they have been unable to mark them, because these old vessels to which I have referred were in such condition that it was not possible for them to take the material to these rocks or to carry the buoys to them for the purpose of marking them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. I ask unanimous consent that I may proceed for five minutes more.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. ESCH. Has the gentleman called attention to the fact that in the list of vessels lost there were two Government vessels, one a revenue cutter and the other a lighthouse tender, within the last four years, and the loss to the Government was \$375,000, or almost enough to make this wire-drag survey.

Mr. HUMPHREY of Washington. I did; that is the fact.

Mr. GREENE of Vermont. Is it not practicable to remove some of these rocks by blasting, after they have been discovered?

Mr. HUMPHREY of Washington. I presume that would be practicable in a great many cases, where they were small and close to the surface. That would be the easiest way in such a case, but the great purpose is to locate them. That is the principal object.

And I just want to say this in conclusion, that I want to thank the Committee on Appropriations for the courtesy they have extended to me and to the other members of the Washington delegation in giving us hearings in relation to this matter.

I also want to express my thanks for the appropriation they have given us in the bill. I am not disposed to criticize the committee. I am not complaining. But I wish they could make the appropriation larger.

Mr. STAFFORD. The gentleman in his prefatory remarks referred to an invention which I assume was patented by the inventor. I rise for information.

Mr. HUMPHREY of Washington. I did not intend to convey the impression that it was patented. What we want is the money to operate one or more of these wire drags to locate these rocks.

Mr. FOSTER. I think the wire drag has been in operation in the Northwest for years.

Mr. HUMPHREY of Washington. Yes; and on the Atlantic coast also.

Mr. STAFFORD. It is surprising that its use has not been extended to Alaskan waters.

Mr. HUMPHREY of Washington. But when I was interrupted I was saying I did not intend to criticize the Committee on Appropriations for the size of the appropriation which has been reported. The committee have at least given us some-

thing. As I understand, it will enable two crews to operate these wire drags. And I especially want to express my appreciation to the chairman of the committee. While I do not always agree with the distinguished gentleman, I recognize that he occupies one of the most difficult positions in this House, and I recognize that this country is leaning very heavily upon the chairman of the Appropriations Committee. I take pleasure in saying that when it comes to integrity and ability he is the peer of any man on either side of this House. [Applause.]

I have sometimes listened with surprise and a feeling of regret when some of my friends on the Democratic side have criticized him. They ought at least to leave that to us. I think, when you look back over the two years just gone and in the years to come when you take a retrospect, that you will find that the distinguished chairman of the Committee on Appropriations has done as much for his country and for his party as any man in the Democratic Party. His position is a hard one. But he performs it with courage, great ability, and absolute integrity. [Applause.] I take pleasure in paying him this merited tribute.

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

Mr. HUMPHREY of Washington. Yes.

Mr. GOULDEN. I want to ask the gentleman the name of the old, antiquated arrangement on the Atlantic coast. What is the name of that vessel? I should know it, but confess I do not.

Mr. HUMPHREY of Washington. I do not recall the name of it, but I know it is the oldest one of the three. We did not get it, because it could not be brought around to the Pacific.

Mr. GOULDEN. It must be in much worse condition than the two on the Pacific coast.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I will insert the list of lost ships, and also "An appeal to Congress from the steamship companies of Puget Sound and Alaska."

[From the Pacific Fisherman, Seattle, Wash., November, 1914.]

SECRETARY REDFIELD SEEKS TO MAKE ALASKA WATERS SAFER.

Never before have the fishing, shipping, and allied interests of the Pacific coast been so worked up as they have by the energetic fight which Secretary of Commerce Redfield is waging to secure from Congress sufficient money to provide the absolutely necessary aids to navigation and wire drags for rocks and other hidden dangers, in order to make the waters of Alaska reasonably safe for the large fleets of fishing, commercial, and Government vessels which annually frequent those extremely dangerous waters, and the Secretary has won the admiration and respect of these interests by his resolute refusal to accept as final the defeat of his plans at the last session of Congress and his determination to carry on the fight at the coming winter session.

The chief obstacle the Secretary has met in his fight has been the indifference and also the gross ignorance which prevails generally amongst Congressmen and others as to the local conditions in Alaska and the immense extent of the trade which has been developed with our northern territory.

The customhouse records of Alaska show that during the fiscal year 1913, 220 American vessels with an aggregate tonnage of 132,283 tons, and 85 foreign vessels with an aggregate tonnage of 65,112 tons, or a grand total of 305 vessels with a tonnage of 197,395 tons, entered at the customhouses of this District. The clearances during the same period were 190 American vessels with a tonnage of 84,628 tons, and 84 foreign vessels with a tonnage of 66,318 tons, or a grand total of 274 vessels with a tonnage of 150,946 tons. These represent mainly commercial vessels as distinct from fishing and Government vessels.

The total value of the domestic and foreign merchandise shipped in vessels to Alaska during the same period amounted to \$22,461,618, while the total exports from Alaska amounted to \$45,110,251.

In 1913 the various fishing fleets operating in Alaska waters amounted in the aggregate to 2,221 vessels, with a total net tonnage of 143,078, and valued at \$8,013,315. The home ports of these vessels are either in Alaska or in Seattle, Tacoma, and Bellingham, in Washington; Astoria and Portland, Oreg.; or San Francisco, Cal., which makes every part of the coast vitally interested in anything which may adversely affect them.

The Government vessels which operated in Alaska at least a portion of the year 1913 were 5 revenue cutters, 1 lighthouse tender, 1 naval vessel, 7 Coast and Geodetic Survey vessels, 1 Bureau of Fisheries protection vessel, and a chartered vessel for the Seal Island work.

The list given below shows that the Government has lost in Alaska waters two revenue cutters—the *Perry* (1910) and the *Tahoma* (1914)—and the lighthouse tender *Armeria* (1913). These vessels, including outfits, were valued at \$860,000, a sum which would have gone far toward furnishing sufficient aids to have made the greater part of the waters fairly safe.

In the waters of southeast Alaska are a number of aids to navigation, but they are grossly inadequate for the purpose and there are still many sections where there are very few or no aids. In the great central Alaska region are but two lighthouses, very few small lights, and a beggarly number of buoys. In Bering Sea there is one lighthouse—at the entrance to Unimak Pass—and almost no other aids. In Bristol Bay the fishing companies have had to place their own buoys to mark the channels in the bays and rivers. In the Arctic there are no aids to navigation. And all this, despite the fact that we have owned Alaska since 1867, a period of 47 years.

It is small wonder that in waters which improvident Congresses have failed to safeguard there should be a heavy annual toll exacted of the shipping which frequents them. The record of wrecks in Alaska waters has never been accurately kept, but the list given below shows a portion, at least, of the large number lost. This list includes only the vessels which proved total losses, and does not include the vastly larger list of vessels which met disaster in Alaska, but yet were enabled to escape

total loss. Owing to incomplete statistical data it has been impossible to show the heavy loss of life which resulted from the wrecks shown in the list, but it is positively known that in the case of 19 wrecks out of the total of 281 shown, 449 lives were sacrificed:

Year lost.	Name of vessel.	Type of vessel.	Where lost.	Value of hull and cargo.
1848	Gem.....	Bark.....	Bering Sea.....	\$75,000
1848	Richmond.....	Ship.....	do.....	80,000
1851	Mary Mitchell.....	do.....	Arctic.....	22,000
1851	Acushnet.....	do.....	St. Lawrence Island.....	50,000
1851	Mexican.....	do.....	Arctic.....	22,000
1851	Honqua.....	do.....	Arctic, near Cape Oliver.....	40,000
1851	Arabella.....	do.....	Near East Cape.....	25,000
1851	Susan.....	do.....	Arctic.....	25,000
1851	Washington.....	do.....	Pitts Island.....	25,000
1851	Hy Thompson.....	do.....	Diomedes Island.....	30,000
1851	Globe.....	do.....	Bering Straits.....	35,000
1851	Armata.....	do.....	Cape North.....	30,000
1851	Bramin.....	do.....	Arctic.....	20,000
1853	Liverpool.....	do.....	Bering Straits.....	35,000
1853	Marcus.....	do.....	do.....	20,000
1853	Kingfisher.....	do.....	do.....	30,000
1853	Citizen.....	do.....	Bering Sea.....	32,000
1853	Monongahela.....	do.....	Arctic.....	35,000
1856	Iris.....	Bark.....	do.....	20,000
1862	E. R. Sawyer.....	Schooner.....	Nunivak Island.....	15,000
1864	Louisiana.....	Ship.....	Kotzebue Sound.....	20,000
1867	Washington.....	Bark.....	Cook Inlet.....	50,000
1870	Hibernia.....	Ship.....	Arctic.....	25,000
1870	Almiral.....	do.....	do.....	42,000
1870	Awashonks.....	Bark.....	do.....	42,000
1871	Carlotta.....	do.....	do.....	45,000
1871	Gay Head.....	Ship.....	do.....	53,000
1871	Geo. Howland.....	Bark.....	do.....	50,000
1871	Massachusetts.....	do.....	do.....	57,000
1871	Orion.....	do.....	do.....	35,000
1871	Reindeer.....	Ship.....	do.....	43,000
1871	Navy.....	Bark.....	do.....	55,000
1871	Seneca.....	do.....	do.....	55,000
1871	Thomas Dickason.....	do.....	do.....	60,000
1871	Champion.....	Ship.....	do.....	50,000
1871	J. D. Thompson.....	Bark.....	do.....	50,000
1871	William Rotch.....	Ship.....	do.....	43,000
1871	Monticello.....	Bark.....	do.....	41,000
1871	Florida.....	Ship.....	do.....	62,000
1871	Eugenia.....	Bark.....	do.....	40,000
1871	Fanny.....	do.....	do.....	51,000
1871	George.....	do.....	do.....	38,000
1871	John Wells.....	do.....	do.....	40,000
1871	Oliver Crocker.....	do.....	do.....	40,000
1871	Roman.....	do.....	do.....	41,500
1871	Emily Morgan.....	do.....	do.....	42,000
1871	E. Swift.....	do.....	do.....	40,000
1871	Henry Taber.....	do.....	do.....	38,000
1871	Minerva.....	do.....	do.....	40,000
1871	Concordia.....	do.....	do.....	55,000
1871	Mary.....	Ship.....	do.....	53,000
1872	Roscoe.....	Bark.....	do.....	55,000
1876	Arctic.....	Ship.....	do.....	60,000
1878	St. George.....	Schooner.....	Kodiak Island.....	25,000
1878	Kodiak.....	do.....	Geese Island.....	25,000
1879	Mount Wallaston.....	Bark.....	Arctic.....	100,000
1879	Vigilant.....	do.....	do.....	100,000
1880	Nagay.....	Schooner.....	Shumagin Islands.....	2,000
1881	Henrietta.....	do.....	St. Lawrence Island.....	25,000
1882	Sapho.....	do.....	Arctic.....	25,000
1882	General Miller.....	do.....	Shumagin Islands.....	15,000
1882	H. L. Tiernan.....	do.....	do.....	17,000
1883	Wild Gazelle.....	do.....	do.....	20,000
1885	Amethyst.....	Bark.....	Arctic.....	50,000
1885	Montana.....	do.....	Bristol Bay.....	50,000
1885	Gazelle.....	do.....	Arctic.....	50,000
1885	Rainier.....	do.....	do.....	50,000
1885	George and Susan.....	do.....	do.....	50,000
1885	Mabel.....	do.....	do.....	50,000
1885	Napoleon.....	do.....	Bering Sea.....	50,000
1886	Clara Light.....	Schooner.....	Arctic.....	10,000
1886	John Carver.....	Bark.....	do.....	50,000
1886	Western Shore.....	Sloop.....	Bristol Bay.....	100,000
1888	Young Phoenix.....	Bark.....	Point Barrow.....	50,000
1888	Julia Foard.....	do.....	Karluk.....	42,000
1888	Ohio.....	do.....	Point Hope.....	25,000
1888	Isabel.....	Schooner.....	Shumagin Islands.....	15,000
1888	Vanderbilt.....	do.....	Bering Sea.....	12,000
1889	Ancon.....	Steamship.....	Loring.....	100,000
1890	Eliza.....	Bark.....	St. Lawrence Island.....	50,000
1890	Lagoda.....	do.....	Arctic.....	50,000
1890	Silver Wave.....	Schooner.....	Point Barrow.....	10,000
1890	Thomas Pope.....	Bark.....	Point Hope.....	50,000
1890	Korea.....	Barkentine.....	Kalgin Island.....	75,000
1890	Lizzie Williams.....	do.....	Tugidak Island.....	100,000
1890	Orizaba.....	Steamship.....	St. Michael.....	100,000
1890	Onaida.....	Barkentine.....	Sannak Island.....	125,000
1890	Corea.....	Bark.....	Cook Inlet.....	51,000
1890	Wm. Lewis.....	Steamship.....	Point Barrow.....	150,000
1891	Sadie F. Callen.....	Schooner.....	Chignik.....	56,000
1891	Dashing Wave.....	do.....	Bering Sea.....	25,000
1892	Abraham Barker.....	Bark.....	Arctic.....	50,000
1892	Alexander.....	Brig.....	do.....	50,000
1892	Helen Mar.....	Bark.....	do.....	55,000
1892	John P. West.....	do.....	do.....	50,000
1893	Ohio.....	do.....	Nunivak Island.....	25,000
1893	John Hancock.....	Schooner.....	Shumagin Islands.....	30,000
1894	Mary H. Thomas.....	do.....	Bering Sea.....	8,500
1894	Mascot.....	do.....	do.....	8,000
1894	Mathew Turner.....	do.....	North Pacific.....	7,500
1895	Jacob Howland.....	Bark.....	Strong Island.....	50,000
1895	Raphael.....	Ship.....	Karluk.....	54,000
1895	Montana.....	Bark.....	Nushagak.....	10,000

Year lost.	Name of vessel.	Type of vessel.	Where lost.	Value of hull and cargo.	Year lost.	Name of vessel.	Type of vessel.	Where lost.	Value of hull and cargo.
1895	Annie May	Launch	Karluk	\$1,300	1908	Star of Bengal	Bark	Coronation Island	\$330,000
1896	Jas. A. Borland	Bark	Tugidak	114,000	1908	Saratoga	Steamship	Bushby Island	175,000
1898	Hidalgo	Brig	Arctic	30,000	1908	John F. Miller	Schooner	Unimak Island	20,000
1897	Mexico	Steamship	Dixons Entrance	100,000	1908	Petrel	do	Pybus Bay	6,000
1897	Jessie Freeman	Barkentine	Point Barrow	50,000	1908	Comus	do	Lynn Canal	2,500
1897	Orcas	Steamship	do	100,000	1908	Olga	do	Port Freemantle	5,000
1897	Rosario	Schooner	do	40,000	1908	Seven Sisters	do	Cape Esplanade	10,000
1897	Navarch	Steamship	Arctic	100,000	1908	Agnes E. Boyd	Steamship	Kobuk River	14,000
1898	Sterling	Ship	Cape Constantine	75,500	1908	Chignik No. 1	Scow	Cape Clear	8,000
1898	Clara Nevada	Steamship	Lynn Canal	50,000	1908	Bear	Schooner	Near Unalaska	4,000
1898	Brixam	do	Clarence Straits	100,000	1909	Columbia	Ship	Unimak Pass	78,000
1898	Anita	do	Cook Inlet	1,000	1909	Quatsino	Barge	Dixon Entrance	30,000
1899	Pioneer	Steamship	Arctic	45,000	1909	Charger	do	Karta Bay	25,000
1899	Laurada	Steamship	Bering Sea	150,000	1909	Uyak	Steamship	Karluk	20,000
1899	Wildwood	Bark	Nushagak	95,000	1909	Olga	Gasoline sloop	Arctic	20,000
1899	Karluk	Launch	Karluk	5,200	1909	Capella	do	Vanks Island	4,500
1899	Lizzie Williams	Bark	Tugidak	73,000	1909	Linea L	Schooner	Portage Bay	4,000
1899	N. A. T. & T. Co. 3	Barge	St. Michael	15,000	1909	Florence	Steamship	St. Michaels Canal	15,000
1900	Jessie	Schooner	Nome	5,500	1909	Nunivak	do	Tanana River	35,000
1900	Merom	Bark	Karluk	64,000	1909	Iona	Gasoline sloop	Nome	4,500
1900	Colorado	Barge	Wrangell Narrows	50,000	1909	Camilla A.	Scow	Chignik Bay	15,000
1900	Hunter	Bark	Bering Sea	50,000	1909	Michigan	Barge	Tanana River	18,000
1900	Catherine Sudden	Barkentine	do	50,000	1909	Winthrop	Gasoline sloop	Nunivak Island	12,000
1900	Alaska	Bark	do	25,000	1910	Farallon	Steamship	Iliamna Bay	80,000
1901	Grampus	do	Point Barrow	50,000	1910	Portland	do	Katalla	55,000
1901	Laura May	Schooner	Kvichak	6,000	1910	Olympia	do	Bligh Island	150,000
1902	Balaena	Steamship	Bering Sea	100,000	1910	Perry	Revenue cutter	St. Paul Island	150,000
1902	Chas. D. Lane	do	Nunivak Island	100,000	1910	Stanley	Schooner	Sannak Island	8,000
1902	Discovery	do	Yakutat	50,000	1910	Sea Light	Gasoline sloop	Southeast Alaska	5,000
1902	Islander	do	Douglas Island	225,000	1910	Bob	Schooner	Juneau	3,000
1902	Lottie	Schooner	Port Moller	500	1910	Never Mind	do	Lynn Canal	3,000
1902	Anna	do	Bering Sea	18,000	1910	Bertha	Gasoline sloop	Carter	8,000
1903	Cleveland	Steamship	do	75,000	1910	H. Johnston	do	Port Hope	25,000
1903	Sadie	do	do	50,000	1910	Louise	do	Cape Prince of Wales	10,000
1903	Delphine	Launch	Karluk	900	1910	C. L. Hutchinson	Barge	Katla	6,000
1903	Mary and Ida	Schooner	Bering Sea	20,000	1910	K. S. L. Co. No. 7	do	Channing Island	4,000
1904	Mary D. Hume	do	Nushagak	15,500	1910	Sesnon No. 6	do	Nome	4,000
1905	Wm. & John	do	Southeastern Alaska	2,000	1910	Sesnon No. 7	do	do	6,000
1905	Servia	Bark	Karluk	205,000	1910	Teller	Scow	Tuksuk River	5,000
1905	Pearl	Schooner	Shumagin Islands	18,000	1910	Princess	Steamship	do	5,000
1905	Nellie Coleman	do	do	20,000	1910	Elsie	do	Valdez	20,000
1905	Francis Alice	do	Off Point Barrow	15,000	1910	K. S. L. Co. No. 4	Barge	Willow Bay	5,000
1905	Laura Madsen	do	Sannak Island	20,000	1910	J. Matthews	Gasoline sloop	Cape Darby	8,000
1905	Marion	do	Unea	15,000	1910	L. S. Sorensen	do	Cape Addington	15,000
1905	Mary Ann	do	Solomon	3,000	1911	Czarina	Schooner	Nagai Island	30,000
1905	Mayflower	do	Kotzebue Sound	15,000	1911	Ramona	Steamship	Cape Decision	150,000
1905	Seven Sisters	do	Bristol Bay	18,000	1911	Jabez Howes	Ship	Chignik	105,000
1905	Volant	do	Andreosofsky	10,000	1911	F. S. Redfield	Gasoline schooner	Cape Prince of Wales	20,000
1905	Admiral	Gasoline sloop	Chinik	8,000	1911	Jessie Minor	Schooner	Nelsons Lagoon	12,000
1905	Anglo Saxon	do	Nome	10,000	1911	Koyukuk	Steamship	Tanana River	25,000
1905	Cov. Perkins	Steamship	Cape Blossom	60,000	1911	P. C. S. Co. No. 1	Scow	Norton Sound	4,000
1905	John Reilly	do	Yukon Flats	10,000	1911	St. Anthony	Gasoline sloop	Metlakatla	5,000
1905	John J. Mitchell	Brig	Sanborn Harbor	4,000	1911	Grant	Steamship	Hecate Straits	45,000
1905	Margery	Schooner	Pirate Cove	5,000	1912	Hayden Brown	Bark	Montagua Island	10,000
1905	Florence	do	Erowik	3,500	1912	Joseph Russ	Schooner	Chirikof Island	20,000
1905	Bonanza	do	King Point	18,000	1912	Lacabell	Gasoline sloop	Near Ketchikan	5,000
1905	Coryphene	Bark	Off Prince of Wales Island	40,000	1912	Compeer	Schooner	Bristol Bay	25,000
1905	Aerie Bird	Steamship	Kobuk River	10,000	1912	Oakland	Gasoline sloop	Dry Bay	70,000
1905	Nicholas Thayer	Bark	Kodiak Island	20,000	1912	Sesnon No. 13	Barge	Nome	12,000
1906	Oregon	Steamship	Cape Hinchinbrook	200,000	1913	Yukon	Steamship	Sannak Island	170,000
1906	Marlechen	do	Chatham Straits	300,000	1913	State of California	do	Gambier Bay	225,000
1906	Thermis	do	Hardigan Reef	120,000	1913	Curacao	do	Warm Chuck	225,000
1906	Miami	do	Kvichak	10,000	1913	Kayak	do	Yakutat	12,000
1906	Excelsior	Schooner	Nelsons Lagoon	23,000	1913	Weiding	do	Queen Charlotte Island	55,000
1906	Koyukuk	Steamship	Tanana River	40,000	1913	Elvira	Gasoline schooner	Arctic	35,000
1906	Lotta Talbot	do	Fairbanks	60,000	1913	Transit	Schooner	Kotzebue Sound	15,000
1906	Miami	do	Kvichak River	25,000	1913	Armeria (lighthouse tender)	Steamship	Cape Hinchinbrook	400,000
1906	Explorer	do	Russian Mission	11,000	1914	Gay Head	Bark	Chignik Bay	44,000
1906	Sesnon No. 5	Barge	Nome	4,000	1914	Tahoma	Revenue cutter	Aleutian Islands	310,000
1906	Sesnon No. 9	do	do	4,000	1914	Paramita	Bark	Unimak Pass	200,000
1906	Rook Island	Steamship	Chenoo	55,000	1914	W. H. Dimond	Schooner	Bird Island	35,000
1906	Lila	Sloop	Dauphin Island Bay	2,000	1914	Karluk	Steamship	Arctic	45,000
1906	Mary Gray	Schooner	do	2,200	1914	Alice	Gasoline sloop	Cape Decision	15,000
1906	Olivia	do	do	2,500	1914	Scheld	Purse seiner	Frederick Sound	7,000
1906	Sehome	do	Point Gardner	2,800	1914	Alert	Gasoline sloop	Near Snettisham	9,000
1906	Alexander	Steamship	Cape Parry	50,000					
1906	Leah	do	Yukon River	50,000					
1906	Tanana Chief	do	Kautishua River	20,000					
1906	Skip	Scow	Mount Andrew	5,000					
1906	Gold Star	Barge	Tanana River	15,000					
1907	John Currier	Ship	Nelsons Lagoon	145,000					
1907	St. Paul	Schooner	Sukhlsh Island	25,000					
1907	Wm. Bayliss	Bark	Arctic	50,000					
1907	Alta	Sloop	Ugashik	650					
1907	Odiak	Launch	Prince William Sound	3,000					
1907	Rita Newman	Gasoline sloop	Simeonof Island	50,000					
1907	Servia	Bark	Karluk	205,000					
1907	Glen	Schooner	Unimak Island	20,000					
1907	Richard III	Barge	Virago Sound	20,000					
1907	Defender	Schooner	Kuskokwim Bay	4,200					
1907	Anglo Saxon	Gasoline sloop	Cape Woolley	8,000					
1907	Bender Bros.	Schooner	Good News Bay	14,000					
1907	Martha W. Tuft	do	Katalla River	14,000					
1907	St. Paul	do	Chowlet Island	6,000					
1907	Vine	do	Deering	15,000					
1907	Ella	Steamship	Tanana River	40,000					
1907	Hammond	Gasoline sloop	Storey Island	8,000					
1907	No. 3	Barge	St. Michael	20,000					
1907	Nymph	Sloop	Hadley	3,000					
1907	Greyhound	Gasoline sloop	Nome	8,000					
1908	Ivy	Schooner	Arctic	6,000					
1908	Lucille	Ship	Ugashik	180,000					
					Total				
					12,792,250				

AN APPEAL TO CONGRESS FROM THE STEAMSHIP COMPANIES OF PUGET SOUND AND ALASKA.

AN ARGUMENT FOR WIRE-DRAW SURVEY OF ALASKAN WATERS, SUITABLE STEAMSHIPS FOR UNITED STATES COAST AND GEODETIC SURVEY, CHARTING ALASKAN WATERCOURSES, ESTABLISHMENT OF AIDS TO NAVIGATION, AND CREATION OF OFFICE OF SUPERVISING INSPECTOR FOR PUGET SOUND AND ALASKA.

SEATTLE, WASH., 1914.

To Senators and Representatives in Congress.

GENTLEMEN: Actuated by the urgency of the case, we, the undersigned, representing the steamship companies engaged in Alaskan trade, herewith respectfully present for your careful reading some brief and

pertinent facts relating to the need for aids to navigation on the coast of Alaska and the proper survey of its dangerous channels. We ask that you give this communication that attention which we feel the importance of the subject demands.

It is not our intention to go into detail at this time, for the annual report of the Secretary of Commerce, a thoughtful document covering the situation in full, has but recently been published, and no doubt read by Members of Congress generally. We indorse that report for its plain straightforward statement of facts, and we desire to emphasize the need of certain work being carried out in the resurvey of Alaskan waters and the establishment of aids to navigation from the viewpoint of those engaged in operating steamships along that coast.

Alaska has a rugged, rocky coast line of some 26,000 miles, or relatively a greater length of coast line than the United States proper. Its annual commerce has reached a total of \$70,000,000 in one calendar year, and will steadily increase from now on, with the prospect of a much greater activity in steamship operations. This is due to the proposed plan of the United States Government to build a 1,000-mile railroad and to develop coal, copper, and other heavy tonnage. It appears to us that now is the time to abide by the judgment of the Government officials in charge of the Department of Commerce and pass such appropriations as may be recommended by that department. It should be thoughtfully considered in this connection that the U. S. S. *Tahoma*, of the Revenue-Cutter Service, and the *Armeria*, of the Lighthouse Board, were wrecked on the unlighted shores and upon unknown rocks in Alaska, and the total valuation of the Government vessels and property lost in those two catastrophes would represent a figure that would accomplish much toward the proper charting of those dangerous channels.

These are but two instances where the Government has suffered loss. But what of the privately owned and operated steamships that for years have pioneered the water routes to Alaska? Hidden rocks are best remembered or named by the unfortunate vessels that have found them. Too often such vessels have gone to the bottom, leaving no record save that of heavy financial loss and deepest sorrow among those whose relatives or friends have been lost. A detailed and absolutely correct list of wrecks, loss of life, and value of hulls and cargoes taking place in Alaska is impossible to obtain, but from the list of the larger vessels and those of which official record is at hand the grand total in vessels lost is 85, representing a valuation of nearly \$7,000,000.

There is nothing new about this statement. It has been published in the press of the country and has even found its way into the CONGRESSIONAL RECORD. The total loss of life is not known, but it is very great, some of the ships that have gone to the bottom having lost nearly all on board, while history records that several, with their entire list of passengers and crew, have never been heard from, and their fate can only be conjectured.

It is proverbial that those who go down to the sea in ships must be ready at all times to manfully face the perils of the deep, the perils being largely due to action of the elements. Those who are endeavoring to operate regular steamship service to and from Alaska must at all times meet additional contingencies and face unknown danger due to the devious watercourses, rocky formation of the shore line and sea floor, the absence of beacons and guides to navigation, and the ever-present danger of striking a pinnacle rock.

This caused the wreck of the *State of California* with its awful toll of human lives. That steamship, wrecked on August 17, 1913, struck an uncharted rock where the chart showed 12½ fathoms (75 feet), and yet the *State of California* had made 16 trips in and out of that same harbor during the two years preceding, since a new and important industry had been started at Gambier Bay. The year before, on August 13, 1912, the steamship *Mariposa* struck an uncharted rock off Port Baker in Sumner Straits, just west of where the chart shows 111 fathoms (666 feet). On January 14, 1909, the steamship *Ohio* struck an uncharted rock in Tongass Narrows, just north of Ketchikan. The charts showed the soundings where she struck at 30 fathoms (180 feet).

In the case of the *Ohio* and *Mariposa* these vessels were saved and later repaired. Mention is made of these three cases to show how steamships traveling the regular routes to and from Alaska may, under certain conditions of the tide, strike a pinnacle rock at points where they had previously crossed and recrossed without any idea of the menace to navigation lying beneath the surface of the water.

Every great industry that is started in Alaska means an increased steamship service. The only possible avenue of transportation between the United States and its northern Territory is the water route, and as the greater portion of its populous towns and mining camps are located along the inside passages, which abound throughout the southern and western coasts, it will always be necessary for any vessel serving Alaska to use those inside routes. This condition extends from the thriving fishing city of Ketchikan, in the southeast portion of the Territory, in a great arc, to the extreme end of the Aleutian Islands and takes in such well-known places as Wrangell, Petersburg, Metlakatla, Juneau, Douglas, Treadwell, Haines (Fort Seward, United States of America), Skagway, Sitka, Yakutat, Cordova, Latouche, Valdez (Fort Liscum, United States of America), Ellamar, Seward, Portage Bay, Knik, and all the salmon canneries and other points where industries flourish.

It seems strange, indeed, that a great catastrophe in which property loss and a heavy death toll is recorded should be the means of bringing these great needs of Alaska before the people, but such has been the case, and, with the expected large addition to the number of steamships operating, while not anticipating trouble, it is apparent that unless something is done immediately to better these conditions the danger of such disasters will greatly increase.

It is not our intention to suggest an especial appropriation covering any particular lighthouse or other aid to navigation, as those are matters which should be left to the department, but we do most earnestly urge upon each of you gentlemen the necessity of giving immediate heed to the seriousness of this situation and request that you work for such appropriations as may be recommended by the department:

First. For a thorough survey and search of the channels and passages of Alaska for the purpose of locating pinnacle rocks, this work to be accomplished by wire drag.

Second. For suitable steamships and other vessels to be used in such work by the United States Coast and Geodetic Survey.

Third. For the proper charting and surveying of the watercourses of Alaska.

Fourth. Such lighthouse establishments and other aids to navigation as may be recommended by the department from time to time.

Fifth. The creation of the office of supervising inspector for Puget Sound and Alaska, headquarters Seattle, to take care of this immense coast line; also additional assistant inspectors for the Seattle office of the Steamboat-Inspection Service.

You have already been informed in detail that the steamships now used by the Coast and Geodetic Survey are entirely inadequate for such

service. These vessels are such that if they were being used by any privately operated company in regular commercial traffic their owners would be most severely criticized. The cost of conducting the wire-drag survey and the cost of proper vessels for the survey would represent but a very small sum when compared with the tremendous valuation of the steamships operating in those waters, to say nothing of the more humanitarian view of the case in considering the protection of the thousands of people whose lives are imperiled by traveling through those passages.

Alaska is America's last frontier. Alaska is a land of great industrial promise. At the present time its development seems to be assured by legislation which makes for the opening of its great interior mineral storehouses, but it should be remembered that all that interior development must for all time depend upon the successful operation of the steamships connecting that Territory with the United States proper, and it is in behalf of all of the present companies operating and of those who may later join in that important traffic that this appeal is addressed to each of you gentlemen representing in Congress the great States of this Union, each one of which has been greatly aided and encouraged in its development by the cooperation at all times of its representatives. We now petition you in behalf of a great Territory of the United States, feeling sure that when these facts are brought to your personal attention you will refer to the detailed reports covering the subject and grant to that frontier country the protection her growing commerce justifies.

Yours, very truly,

J. C. FORD,
President Pacific Coast Steamship Co.
R. W. BAXTER,
Vice President Alaska Steamship Co.
H. F. ALEXANDER,
President Pacific-Alaska Navigation Co.
M. KALISH,
Vice President Humboldt Steamship Co.
H. C. BRADFORD,
Vice President Northland Steamship Co.
JOSHUA GREEN,
President Puget Sound Navigation Co.
W. L. GAZZAM,
President Puget Sound Steamboat Owners' Association.

Mr. MANN. Mr. Chairman, the distinguished gentleman from Washington [Mr. HUMPHREY] in discussing the wire-drag proposition has had brought into the Hall of the House a picture showing a wire drag. I suppose that picture was prepared and painted for the Coast and Geodetic Survey at Government expense.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. HUMPHREY of Washington. I just want to say that I am not responsible for it.

Mr. MANN. It is a useless expenditure of money to have had it painted.

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

Mr. MANN. Yes.

Mr. FITZGERALD. Does not the gentleman think the picture must have been painted at low tide? Otherwise they could not have located the old timbers and other things that appear with such accuracy on the bottom. [Laughter.]

Mr. MANN. This painted picture is a copy of a picture that appears in the regular report of that department. I want to call attention to the accuracy of the picture, for it is probably equal to the accuracy of the work that is done by the department. Here is a wire drag pictured as stretching across a considerable expanse of water, supported by buoys, the drag being attached to a boat at either end and to one in the middle. One can see that the boat at one end is moving away from the center at an angle of more than 45° from a forward course while the boat attached at the other end is moving away in the opposite direction from the center at an angle also of more than 45°. It would be impossible, therefore, Mr. Chairman, for those boats to proceed for 20 feet without breaking the wire drag.

Mr. FITZGERALD. But the gentleman knows that that is an artistic license. [Laughter.]

Mr. MANN. But they purport in their report to give a picture of what was being done, and then they have had it painted. They were so entranced with the idea that they had a painting made of it, but apparently they did not know enough to realize that if they had a wire with a boat attached to it at either end, the boats going in opposite directions, if the boats proceeded the wire would break.

Mr. GORDON. Or the boats would stop.

Mr. MANN. That is accurate knowledge on the part of the Coast and Geodetic Survey. When I saw this picture printed in their report I wondered if they had ever operated a wire drag, even though they have several in operation, and whether they knew how it was operated, or knew what the effect would be, or whether they knew enough to locate a pinnacle rock, if they found one, or what good did it do to locate it? Certainly whatever else they may be able to do, they do not know how to picture a wire drag in operation. I expect they know as much about that as they do about a good deal of the other work that they do. I think the picture may be taken out, now, for we are done with it. [Laughter.]

Mr. MARTIN. Mr. Chairman, I suggest to the gentleman that that sort of layman's criticism would destroy many of the masterpieces in paintings, including the one out in the rotunda in which one individual is pictured with six toes on one foot.

Mr. MANN. That is true; but that was not painted by a scientist purporting to show a scientific operation. When a scientist or a purported scientist attempts to picture the method that he pursues, if he is not accurate, he is no good.

Mr. Chairman, in reference to the question of economy and the relation to it of a suggested budget system, a committee of the House or a committee of the two Houses, about which so much has been said, I desire to make one or two observations, if I have the time, and I desire to make the observations based upon my experience in the House and the watching of appropriation bills. What I say, Mr. Chairman, is not in criticism of the present administration, because the present administration, like the administrations which have preceded it, has followed the same course. I doubt whether it is practicable for Congress to have a budget committee composed of Members of the two Houses to determine in advance how much shall be appropriated in the various departments.

I have heard several gentlemen say there was no method under our present Government system of reaching that end. In every country in the world, practically, the executive power prepares the appropriation bills. They are handled by members of the executive as members of the legislative bodies. Of course in every country which has a responsible ministry that ministry prepares all of its bills, which are submitted as coming from the Government, which carry appropriations. If the ministry wants money, it has to understand from what source it will get the money. It figures out the receipts and the expenditures. It is responsible. We do not have that system of Government, but we have this: We have a Cabinet of the President. The President gathers to himself and his Cabinet the heads of all of the executive departments of the Government, minus a few of the outside establishments, and the proper place to determine the probable expenditures or appropriations and the probable receipts is at the President's Cabinet, where the President has the authority to say to the members of the Cabinet, "You are here at the head of these executive departments all of the time, and you estimate that we will have about so much money for expenditures, but you must bring your estimates of expenditures below the estimates of the receipts." It is perfectly feasible. The old system that we have had has been for every Cabinet officer, or nearly every one, to constantly seek to get more money for his department and less money for some other department. They ought to be brought together and made to bring the estimates of appropriations within the estimates of receipts, and then leave something over, and instead of Congress being forever engaged in refusing appropriations which are asked by the executive departments, we ought to be engaged in considering the advisability of granting appropriations which are not asked by the executive departments. They ought to be compelled in making their estimates to come well within the probable receipts, and those appropriations ought in the main to be made as a matter of course, and then let Congress determine whether it will provide other appropriations.

The body exists; they are here all the time. They know the conditions and the needs of their departments. They are better qualified to determine in advance what reductions they can make in their expenditures than we can be. Since I have been a Member of this body they seldom have helped us, but always ask for more. Knowing that they will not get all they ask for, knowing that they can not have all they ask for, they have been going on the theory, to a large extent, that if they are to get \$100,000 they ought to ask for \$200,000; that if they want one new item, they ought to ask for two new items; that they ought to ask for a great deal more than they expect to get. What they ought to do is to ask only in their estimates for those things which they must have, which they really need, and the estimates of appropriations submitted to the Congress ought always to be less than the estimates of receipts. [Applause.]

Mr. MONDELL. Mr. Chairman, there has been a good deal said of late in regard to a budget and in regard to methods of appropriations, and this is a peculiarly apt and interesting question in the present state of the Public Treasury. The chairman of the Committee on Appropriations, who is generally very sound, and with whom I generally agree on fundamental propositions of appropriations, suggested the other day that it would be better, in his opinion, if there were less initiative on the part of the Members and we depended more largely on the departments on the matter of appropriations. It seems to me that the history of estimates for the past 20 years, let us say, scarcely supports the gentleman's contention.

I ran over rather hurriedly a day or two ago the estimates of appropriations under the sundry civil title in the last 10 years. My recollection is that the appropriations under that title in that length of time, perhaps a little longer period, were about a hundred million dollars less than the estimates, so that it seems that the departments were more extravagant than the Congress. We all of us realize that our Government is so very different and our conditions are so very different from those of European countries that we can not well compare many of their methods of legislation and appropriations with ours. A country that is developed, that is simply moving along, keeping up its public service, not greatly enlarging or extending it or opening up new avenues, a country under monarchical institutions, may very properly depend very largely on the executive for suggestions of expenditure, and that is particularly true in a Government with a responsible ministry, where the party in power goes to the people when not supported by the popular branch of the legislature. Things are very different here. The bureaus are in no wise responsible as they are under other Governments. Congress is responsible—

Mr. FESS. Will the gentleman yield?

Mr. MONDELL. The responsibility is on the Congress itself, but, unfortunately, it is a very dissipated responsibility—that is, it does not rest heavily on any one Member, and it is difficult to fix it on any group of Members. In a way we attempt to fix it on the party in power, but even then the responsibility is more or less shifted, but whatever responsibility there is is on Congress and not on a responsible ministry.

Mr. FESS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. FESS. What is the significance of the gentleman's statement that when the party in power loses a measure before Parliament it goes out of Parliament? It does not do that. They can make an appeal to the country.

Mr. MONDELL. Of course everyone understood, I assume, what I meant, that they lost out unless the country supports them. If they appeal to the country on a proposition they may win or they may lose.

Mr. GORDON. They must resign before appealing to the country.

Mr. MONDELL. Not necessarily. In the case they lose support of the legislative branch, however, it would be an unheard of thing if they did not resign, or at any rate seek an appeal to the country.

Mr. FESS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. FESS. They do not have to resign before appealing to the country. The leader simply asks the King to prorogue Parliament. It is not a resignation, but it is a referendum to the people. Now, will the gentleman yield further?

Mr. MONDELL. I thank those gentlemen who are students of this subject for correcting me in the matter of detail. I was not attempting to give the detail of the methods of other countries, because in a five-minute speech one can not go into great detail. Discussing this matter is difficult, much less a matter that is only distantly related to it.

Mr. FESS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. FESS. Would it not be better for us to have one body in the form of a budget commission to ascertain the expenditures than to have 15 or 20.

Mr. MONDELL. Well, of course, that is quite a different question. The question of the budget is one question and the question of how we shall handle the estimates here is another question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I would ask for five minutes more.

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

Mr. MONDELL. On the latter question, while there are good arguments on both sides, I have never been able to come to a conclusion that I felt altogether certain about. I think, however, it were better for all if the estimates were to come to one large committee with a goodly number of subcommittees. I believe that would result in economy. I can see that there are objections to it, but I doubt if we will ever adopt that method in Congress. There will always be a larger number of Representatives who will be inclined to divide the jurisdiction and responsibility than would be favorable to placing the responsibility on a smaller part of the membership. But I am inclined to the opinion that it would be well if all of the estimates could come to one committee, and I think we would in that way save a good many millions of dollars every year. I say "I think we would." Of course these are all matters of opinion, and in a

matter of this sort, where there are so many arguments on both sides, one is not justified in being too cocksure or certain in his opinion.

But there is another side to the matter. The departments, in submitting their estimates, the gentleman from Illinois [Mr. MANN] suggests, should be well within the estimates of receipts. Yes, very well within the estimates of receipts, under our form of government; because, while our appropriations under a certain single head or under a variety of titles generally run considerably below the estimates, the aggregate of our appropriations, in the long run, is above the aggregate of estimates, because under our system the departments ordinarily do not initiate new projects or new enterprises.

Mr. ANDERSON. Oh, yes; they do.

Mr. MONDELL. The gentleman from Minnesota says "Oh, yes; they do." That is true in matters of detail, but it is not true by and large. The departments do not start new river and harbor work. The departments do not initiate new public-building projects. The departments do not now initiate new reclamation projects, or will not in the future, and there is a large field of expenditure that is under our form of government necessarily the field of congressional initiative only, and, without a very profound change in our system, could not very well become a field of executive initiative. To make it so would be to tremendously increase the executive branch of the Government, and our people—at least Members of Congress of the minority, whichever side happens to be the minority—are always restive over the proposition that the Executive is exerting too much influence, even as matters now stand.

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

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

Mr. MONDELL. Yes.

Mr. GORDON. It would also be necessary to amend the Constitution to transfer that control over expenditures to which the gentleman refers—that control over the initiative. What power has the Executive to initiate anything which involves the expenditure of money?

Mr. MONDELL. I think we could under the Constitution give them more authority than they now have, although I do not like to have my friend, who is a constitutional lawyer, propound these constitutional questions to me, a layman. But I think under our constitutional power we could to a certain extent, or to a very considerable extent, transfer the initiative with regard to certain classes of expenditures to the executive departments.

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

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

Mr. MONDELL. I would if I had more time, but the committee has been good to me and I do not want to impose on the committee by asking further time.

Mr. FESS. Mr. Chairman, the question of whether the Executive should initiate any legislation which would involve an expenditure of money is quite a live question now, apropos to the initiation of the ship-purchase bill, which is stirring the country a good deal. I wish that that theory might receive careful consideration by the Congress. The question of the budget is one to which I think every Member of Congress has given more or less attention. I think I am safe in saying that this is the only country that does not have a budget system, and I am persuaded that every State of the Union, or most of them, have a budget system, and it does seem to me that a Government which has the largest business of any single concern in the world, involving an expenditure of a thousand million dollars in a single year, should concentrate its methods by which we can have a clearing house of these expenditures, instead of having so many different committees dealing with them.

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

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

Mr. FESS. Yes.

Mr. FITZGERALD. I understand the gentleman to say that every State in the Union, or nearly every State, has the budget system?

Mr. FESS. I can not say every State; I think most of the States have.

Mr. FITZGERALD. Will the gentleman define what he means by a budget system? The budget system, as commonly spoken of, exists in hardly any and not more than half a dozen States in the Union. What does the gentleman mean when he speaks of the budget system?

Mr. FESS. I think there are 42 States, to speak specifically, that have adopted a budget commission to clarify the estimates and recommend appropriations.

Mr. FITZGERALD. What does the gentleman mean by a budget system?

Mr. FESS. A budget system is a commission created by authority of the Government which has to do with weighing the estimates and expenditures and making the recommendations for those expenditures to the legal legislative body providing for them.

Mr. FITZGERALD. I made a speech in 1913 in which I summarized the various provisions of the statutes relating to the submission of estimates. If the gentleman will read that, he will find that we have the most comprehensive and carefully compiled set of laws to properly regulate the submission of estimates of any political body in the United States; and much of the discussion which takes place about our system is due to an entire ignorance of what the laws relative to the estimates and appropriations by the Government of the United States are.

Mr. FESS. Well, Mr. Chairman, that is the sort of an answer that a gentleman who does not believe in a budget system will be apt to give. In other words, there is no reason why I should ask for it other than that I am ignorant of what there already is. That is usually the argument that is offered. I resist that statement. The facts are that the chairman of this committee is one, if not the one, member that keeps down the appropriations that are asked for by every department; and instead of his being at the head of a large committee, to which every interest in the Government applies seeking to drain the Treasury, it would seem to me that there should be a commission that is not to be changed with every Congress that comes in and not to be changed by the administration for political purposes, as the Cabinet is changed every four years when the administration changes, but a commission that should have a standing here, nonpartisan in administration, whose business it would be to continue to bring to light the demands in the past, and with that light to know what demands of the future should be recognized.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from North Carolina?

Mr. FESS. I do, because he is a member of the committee.

Mr. PAGE of North Carolina. The gentleman made a statement in the beginning that every other country has some system for the preparation of a budget. I think he is possibly correct in that statement, but is it not also true that in every other Government except the United States the appropriation of money is confined to one of the legislative branches?

Mr. FESS. I think the appropriation is thus made, but it is recommended by the commission.

Mr. PAGE of North Carolina. But if the gentleman will allow me to follow that up, under our system, of course, this body and the other legislative body can appropriate money. I would like the gentleman to tell the committee what plan could be devised, or what plan he would suggest that would restrict in the amount of appropriations both the legislative bodies?

Mr. FESS. Well, a budget commission which is not subject to the whims of a political election, because its existence does not depend upon it, certainly avoids the pressure that one which is subject to such pressure of political election could not avoid.

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

Mr. FESS. I ask unanimous consent that my time be extended five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his time be extended five minutes. Is there objection?

Mr. DONOVAN. What is the request?

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his time be extended five minutes.

Mr. DONOVAN. Reserving the right to object, I understood the gentleman a moment ago to say something about budgets and concentration, and so forth. I sincerely hope there will be some one to look after those things besides the gentleman from Ohio. I believe yesterday was the first day he was here in a long time. If everybody attended to it as he has been attending to it since he has been a Member of Congress there would be nobody to attend to it.

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

There was no objection.

Mr. FESS. Mr. Chairman, the British system that was mentioned here a while ago is in a sense continuous. In other words, the ministry in Great Britain continues until it loses the confidence of the public. Whenever a measure is proposed by the ministry in the British Parliament and it fails to meet with the approval of Parliament, then the ministry

has its choice. It can either resign and give over the power to the opposing party or it can ask the King to prorogue Parliament and go to the people as a referendum upon the question. That makes it a continuous body, so that there is no such thing as a change every four years, as we have in the Cabinet, by the change of administration.

Mr. MANN. Will the gentleman yield?

Mr. FESS. Yes.

Mr. MANN. Does the gentleman know of any country in the world where the ministry has resigned because the legislative branch of the Government refused to pass the appropriation bills prepared and presented by the ministry?

Mr. FESS. I do not know of any case of that sort. That has nothing to do with this. What I am insisting upon is that the British system is continuous. It does not change with every administration that changes.

Mr. MANN. Why, certainly.

Mr. FESS. But the administration there does not change as it does here.

Mr. MANN. Just as much there as it does here.

Mr. FESS. Oh, no. The gentleman is mistaken.

Mr. MANN. Oh, yes; it does.

Mr. FESS. The gentleman is speaking without information about that.

Mr. MANN. The gentleman ought not to assume that he is the only one who has information about the British Parliament.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from North Carolina [Mr. PAGE]?

Mr. PAGE of North Carolina. Mr. Chairman, the gentleman from Illinois propounded the question I wanted to ask.

Mr. TOWNER. Will the gentleman yield?

Mr. FESS. I do, but for no innuendoes. If the gentleman has a question, I will yield.

Mr. TOWNER. I have nothing to ask the gentleman.

Mr. FESS. It is a very significant thing that when anyone announces a change from a system we have in vogue somebody will undertake instantly to answer by the sort of a remark that the gentleman from Illinois has made here, assuming that I am the only one who is supposed to know anything about the British system. I resent that statement. I did not make any such reference.

Mr. MANN. Will the gentleman yield?

Mr. FESS. I do.

Mr. MANN. The gentleman had just told me that I knew nothing about the British system.

Mr. FESS. I did not. I said you spoke without information on that point, and that is what I repeat.

Mr. MANN. I do not resent that statement, because it is not necessary at all. The gentleman was mistaken. He made an incorrect statement.

Mr. FESS. How did I make an incorrect statement?

Mr. MANN. By stating that I knew nothing about it.

Mr. FESS. I beg the gentleman's pardon.

Mr. MANN. I think I know as much about it as the gentleman does.

Mr. FESS. I think from what I can learn by sitting here from day to day that any man who assumes to know anything that the gentleman from Illinois does not know has no place to stand on the floor of this House. [Applause.] I am a student of these problems. Of course, teaching the subject for years is no suggestion that I know anything about it. I do, however, know that men who speak without information dogmatically ought not to insinuate that one who does speak with information is the only one that knows anything about the subject that is being discussed.

Countries that have the budget system have a system that does not change with every administration. The budget system in Great Britain continues from time to time, and is not subject to the whim of an election, while in our country the Appropriations Committee changes with the change of an administration, and the Cabinet changes with the change of an administration, and the biggest business in all the world ought not to be subject to the whim of every administration that changes; and if we had a budget system that would be avoided here.

Mr. MADDEN. Will the gentleman yield?

Mr. FESS. I do.

Mr. MADDEN. Of course the gentleman must agree that the budget system, as it affects England, for example, not only levies the tax but makes the appropriation at the same time, and the tax is levied every year.

Mr. FESS. The budget is recommended to Parliament; yes.

Mr. MADDEN. And the budget fixes the tax at the same time it makes the appropriations, and that is not possible with us.

Mr. FESS. I do not see why it would not be.

Mr. MADDEN. We have a tariff that is fixed during a given administration. If it is a Republican administration, there is

one system of taxation. If it is a Democratic administration, we have another system, but all systems are alike fundamentally in England, and all budgets there include the tax as well as the appropriation, and that would not be possible in this country under this form of Government.

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

Mr. FESS. Mr. Chairman, I ask for one minute more to answer the gentleman.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. FESS. Replying to my friend from Illinois [Mr. MADDEN], he says that our system would not permit the budget system as it is in vogue in England and gives as a reason that we have a different system of raising revenue; that is, if the Republican Party were in power it would differ from what it would be if the Democratic Party were in power, because we have a different view on the tariff question, which raises the revenue. If we had a budget system, I do not see why a change of administration from time to time from Democrats to Republicans and from Republicans to Democrats would necessarily change the methods of appropriations. Whatever way we raise the revenue might be left to Congress, but what should be appropriated and how much this department should have and how much that ought not to be left to each department or to a committee representing each department, but ought to be left to a central commission whose existence is continuous and will make the recommendations. That is what I mean.

Mr. FITZGERALD. Mr. Chairman, the gentleman from Ohio has made one statement about the British system that I wish to refer to briefly. I have asserted several times that many who discuss the so-called budget system discuss it with an entirely different meaning than that given it when some other persons discuss it. I have undertaken to show that so far as the budget, in the true sense of the term under our system, is concerned, we have a provision for a budget. The gentleman from Ohio is mistaken when he says that the Government goes on and the budget does not change with the change of control of the Government of Great Britain. The very control of the Government may depend on the budget itself. It is only within a few years that a proposed method of obtaining money by novel methods of taxation, probably by the chancellor of the exchequer, Lloyd George, precipitated an election, and the people passed on the question and continued the Government in power.

Their civil service differs from ours in that the great bulk of the subordinates go on regardless of a change of control of government, but the whole fiscal policy of the Government may be entirely changed by reason of the proposals for taxation.

Every time it is proposed by the party in power in Great Britain to put a tax on foodstuffs, which would be an essential feature of a proposed budget, it might involve a control of the Government.

Their budget consists in this: They submit to Parliament their proposed expenditures and they have to show where the money is to be obtained, and, if existing law is not sufficient to obtain the money they propose to spend, they propose new laws by which they will obtain additional money. If in their proposals it is shown that there will be a surplus over what is required to meet the expenditures of the Government as set forth, they propose a method of distributing that surplus in some other way. How could we have a nonpartisan, independent commission to study the needs of the Government and determine apart from the administration and Congress what was to be spent? For instance, the naval program itself is a very vital matter as affecting our expenditures. No nonpartisan commission apart from Congress would pass on that.

The entire bill as reported to Congress provided for a naval program to cost \$53,000,000, and the naval appropriation bill carried \$22,900,000 on account of construction for the next fiscal year. What that program was to be was a matter of policy to be determined, not by something apart from those in control of the Government, but to be determined either by the Executive with the approval of the legislative body and initiated by the legislative body regardless of the will of the Executive. As a matter of fact, the program submitted to the House combines both of these elements. It had some features that the administration recommended and it had some things that the administration protested against. There is no way in which any independent body or commission or outfit of any kind can prepare for Congress a statement of how much it has spent for the maintenance of the public service in any fiscal year, because that question hinges to a considerable extent upon the policies to be adopted for the extension of the public service, the initia-

tion of new projects, and many other activities. That must be settled as a matter of political policy, and the control must be political.

Mr. FESS. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. FESS. Does the gentleman make any distinction or difference between the policy-determining function and the administrative function? The policy-determining function belongs to Congress.

Mr. FITZGERALD. Theoretically Congress has the power, but practically it never exercises it unless the Congress is of a different political complexion from the administration. But when the administration and Congress are of the same political complexion, as a matter of fact the legislative body is largely a reflection of the Executive desires. Occasionally it does not acquiesce in the views of the Executive, but in the long run the legislative body is merely a ratifying body.

Mr. FESS. Is that right?

Mr. GREENE of Massachusetts. It is at the present time.

Mr. FITZGERALD. The history of the country demonstrates that beyond question. It is futile for practically well-informed men to attempt to deny it. I have not obtained my information, as the gentleman from Ohio has, from teaching in the schools. I have obtained the information that I have about the practical workings of this Government and other governments from a service of 16 years in this body. All of that time has been devoted to an intensive study of methods of expenditures, not only in this Government, but in other governments. I think I have some knowledge of the various systems, and when the gentleman from Ohio [Mr. Fess] spoke a few moments ago in a somewhat, possibly justifiable, but boasting strain of the fact that he had been teaching these things for many years it reminded me of the experience of a friend of mine in a court in New York. He had been a coroner's physician for a number of years and had actually performed 8,000 autopsies. He was a witness for the people in a murder trial and was being cross-examined by the attorney for the defendant accused of murder, and the following series of questions and answers occurred: The cross-examining lawyer said, "Have you ever read Jones on such and such?" "No; I have not." "Did you ever hear of it?" "Yes." "Is it a standard work?" "It is." "Have you ever read Smith on such and such?" "I have not." "Have you ever heard of it?" "Yes." "Is it a standard work?" "It is." "Have you ever read Brown on such and such a subject?" "No." "Ever heard of it?" "Yes." "Is it a standard work?" "It is." The attorney then said, "Well, where do you get your information if you have not read these standard authors," and the reply of my friend was, "I get my information upon the operating table and in the autopsies that I have performed in the last 10 years. I have performed 8,000 in the last 10 years, more than any man in the United States." So I might reply to my distinguished college professor friend that, while I have not been teaching young men these various theories of government, I have obtained my information on the floor of the House of Representatives and in the Committee on Appropriations where I have served for 10 years, and I think I have some information on the subject in respect to both our system and the British system, which I have been compelled to study in connection with my work. [Applause.]

Mr. TOWNER rose.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. FOSTER. Mr. Chairman, has debate been exhausted on this amendment?

The CHAIRMAN. Replying to the inquiry of the gentleman from Illinois, of course under the rules of the House debate is exhausted.

Mr. FOSTER. I think we better read the bill.

Mr. FITZGERALD. Yes; let us move along.

Mr. TOWNER. I only want two or three minutes.

Mr. FITZGERALD. Very well.

Mr. TOWNER. Mr. Chairman, the difficulty in discussing a great question of this kind in this manner is that nothing except the fringes of the subject can be considered in such a merely desultory debate. It is very easy for gentlemen to talk about a budget system and declare that it is desirable. In the first place, it would be necessary to define what a budget system is. Gentlemen have said on the floor of the House that many of the States have a budget system. If by that is meant the English budget system, then I should have to take issue with the statement at once, because there is no State in the Union that has the English budget system. If we are to understand by the budget system the English budget system, I think no careful student of American affairs but would come to the speedy conclusion, from even a cursory examination of the question, that it is impossible for use to ingraft upon our system the English budget system. It would be impossible for me even

in the brief time that I desire to occupy to say why that is true. Very often I have heard gentleman say on the floor of the House that we ought to adopt the English system regarding this, that, or the other thing. I have heard it very often said here that we ought to adopt the English budget system, but with our parliamentary system of Government the English budget system is impossible; and so it is with most of the suggestions about ingrafting upon our system a system so vitally different from our own as is the English parliamentary system. I think no one who has studied our governmental affairs but wishes we might have a closer coordination between the power of fixing the revenues of the Government or the obtaining of the means for carrying on the Government, and that power which expends the money which is thus obtained. The Committee on Ways and Means has jurisdiction within the House of one branch, and the various appropriation committees have jurisdiction over the other branches.

It is, of course, always necessary that the expenditures should bear some relation in amount to the revenues of the Government, and that we secure in a very halting, in a very inefficient, and in a very unsatisfactory manner. Mr. Chairman, I am willing to say, from my experience here and with a desire to adopt a more perfect system or form, that it would be exceedingly unwise for us, in my judgment, to venture upon any radical experiments of change. I think that our system as it has grown up here through more than a century is adaptable to our form of legislation and our form of government. I believe that there are many improvements that might be made, but not radical ones; not the adoption or ingrafting of another system upon our own. I think it would be wise if we had a committee of this House appointed to take into consideration these minor changes that might be made greatly to our advantage and greatly to the saving, as I think, of the revenues of the Government. I think we might effect many changes of that kind, but I am compelled to say, after a somewhat careful consideration of the matter, that I do not believe that any radical change will be very beneficial or possible to ingraft upon our present system.

I desire also to say this: Very much fault is found and very severe criticism is indulged in in respect to these various appropriation committees. I think that there is more fault to be found with the membership of the House than with the membership of the committees. The pressure that is brought to bear upon the various members of these committees by the membership of the House is sometimes, as we know, tremendous. The pressure that is brought to bear by individual interests, acting through their Representatives on the floor of this House—and I do not mean by that ulterior and wicked influences, but those that are considered by everyone as purely legitimate—is tremendous upon the various members of these committees. I think that it is only fair that we should take these things into consideration when we indulge in extravagant criticism of committees. I think that Congress itself is very much more extravagant than any appropriation committee that we have in the House. I think Congress itself is more responsible for passing legislation that appropriates the public money that is without justification than are the various appropriation committees. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to return to page 66 of the bill to offer an amendment, in line 25, striking out "\$1.85" and inserting in lieu thereof "\$1.80."

The CHAIRMAN. The gentleman from New York asks unanimous consent to recur to page 66 to offer an amendment. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, for the purpose of obtaining information, can the gentleman inform the committee how much reduction has been made in the price of laying asphalt during the past 10 or 20 years? This price of \$1.85 has been running for a number of years.

Mr. FITZGERALD. Mr. Chairman, some years ago the price of asphalt was over three dollars and a quarter a yard. Now it is \$1.49.

Mr. STAFFORD. And the purpose of this amendment is to fix a maximum price of \$1.80?

Mr. FITZGERALD. No; this is to make the limitation in this law the same as in the District of Columbia act.

Mr. PAGE of North Carolina. I will say to the gentleman that the limitation in the District of Columbia bill on asphalt is \$1.80, and this amendment is merely to make the item in this bill conform in amount to the item in the District bill.

Mr. STAFFORD. Why is the rate so high when you can contract at a much lower figure?

Mr. FITZGERALD. In making contracts for laying asphalt the price depends to some extent upon the quantity of the work to be done. If it is a very large job, the price will be in the

neighborhood of \$1.49 to \$1.50. If it is a small job, the price will be considerably higher.

Mr. PAGE of North Carolina. In addition to that there are certain characters of asphalt that are occasionally laid in small quantities that is of a stronger character and it costs more.

Mr. STAFFORD. And there is more asphalt in it.

Mr. PAGE of North Carolina. Yes; and it costs approximately these figures, but there is very little used; but if the limitation was less than \$1.80 they could not use it at all where a heavy or thicker asphalt was required.

Mr. STAFFORD. Of course this limit goes above the regular price, \$1.80 a square yard, whereas it is much less under the contract system.

Mr. PAGE of North Carolina. This is simply a limitation placed upon it, placed at a sufficiently high figure to enable them to contract for this asphalt, whereas the gentleman from New York has said they made these contracts at about \$1.49, but there is occasionally a small amount of asphalt needed that might cost as high as \$1.75.

Mr. STAFFORD. How long has the rate been at about \$1.50?

Mr. FITZGERALD. I think three or four years ago the break came in the prices. There had been a consolidation prior to that time, or an understanding among the companies here, and then there was some mix up and competition.

Mr. STAFFORD. Prior to that time the contract price was in the neighborhood of \$1.70 to \$1.80.

Mr. PAGE of North Carolina. It was \$1.75 or \$1.79; I am not sure which.

Mr. STAFFORD. A dollar and seventy-nine, I think.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 66, line 23, strike out "\$1.85" and insert "\$1.80."

Mr. MANN. Mr. Chairman, this is a District item, and I was out when page 66 was read, and I want to ask the gentleman what is the theory of making the District of Columbia pay for the cost of installing water mains for the National Museum?

Mr. FITZGERALD. What is that?

Mr. MANN. Lines 14 to 18, to provide for laying water mains for the benefit of the National Museum. Why is one-half of that charged to the District of Columbia?

Mr. FITZGERALD. Well, it is a fire main, and the District pays one-half of all fire mains. It is to make a more direct connection through the grounds there.

Mr. MANN. Well, the item says this is for furnishing additional water supply for the National Museum building.

Mr. FITZGERALD. By extending the present—

Mr. MANN. The present 12-inch water main. It does not require a 12-inch water main for fire purposes.

Mr. FITZGERALD. This is for fire purposes, and the chief reason is for fire protection.

Mr. MANN. It is not for furnishing water, then?

Mr. FITZGERALD. No; it is to get the water now coming here in an indirect way, and this gives a direct access to the main, and it is chiefly for fire protection.

The CHAIRMAN. The question is on the amendment.

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

The Clerk read as follows:

Lighting and heating for the public grounds: For lighting the public grounds, watchmen's lodges, offices, and greenhouses at the propagating gardens, including all necessary expenses of installation, maintenance, and repair, \$18,500.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word. In reference to the budget system, which has been much discussed here this morning, it seems to me that some plan ought to be devised by which the appropriations could be controlled in some systematic as well as economic way. A nonpartisan budget commission will never be secured. We have no nonpartisan commissions. That kind of a commission is impossible. I assume gentlemen who use the word "nonpartisan" mean "bipartisan." There is no such thing as nonpartisan. All men are partisans, and the mortal has not yet been born who is nonpartisan. All men are partisan. Men are unable to prevent their inclinations, their prejudices, their environments from warping their judgment. Their judgment leads them into the field of partisanship. Now, how would you appoint a budget commission so as to avoid politics? The administration and Congressmen, the Chief Executive or Congress, would select a commission, and most naturally it would select it of the same political faith or, at least, a majority of it. That is true of either the Executive or Congress. The trouble, in my judgment, with appropriations is in this: The departments are dictating the appropriation bills. There is where the difficulty comes. By this I mean no reflection on the Appropriation Committee. They are writing them according to their peculiar views of making

the department which they represent greater and stronger, as they desire them, and much of the legislation that comes into the House and the Senate is not a representation of the views of committees which present the measures as much as it is the view of the department which oversees the preparation of such bills, and they reflect the view of the department for which it is made.

Mr. BARTLETT. May I interrupt my friend?

Mr. CULLOP. I yield to the gentleman.

Mr. BARTLETT. We tried having what we called a nonpartisan or independent board known as the efficiency board, on which we spent \$260,000, to tell us how to carry on our business, and they made a number of suggestions to various departments how to transact the Government's business.

Mr. CULLOP. And they were absolutely ignored, I presume.

Mr. BARTLETT. No; we tried to follow out their suggestions and found out that instead of helping business it rather retarded it, and Congress abolished it after spending \$260,000 on it.

Mr. CULLOP. Such is the usual result in all such instances. Now, in 1882 a tariff commission was appointed to revise the tariff.

Mr. BARTLETT. I was speaking of an efficiency commission.

Mr. CULLOP. I am only speaking as to the work of the commission system and the inclination of Congress about following reports made by the same. As a rule the report of a commission in such cases is ignored and the views of the Congress are substituted. Many instances of this kind could be given. The result of the work of the Tariff Commission was ignored because it did not coincide with the views of a majority of Congress. It made a voluminous report, constituting two large volumes, recommending a reduction of the tariff in nearly every schedule, and when Congress convened after the work of that commission for the purpose of revising the tariff it took the opposite direction and increased the tariff in nearly every schedule in the entire law. Such has been the usual experience in such matters. Right or wrong, it binds no one.

Now, when questions are asked about certain appropriations in the House the reply comes frequently that the department wants this, that, or the other thing in the bill, and that is the only answer and the only reason that is given for the proposed appropriation in many instances. The same is true of much of the legislation. And this Government, unless a stop is put to this practice soon, is rapidly drifting into a bureaucratic government. The different bureaus are writing the legislation of the country, and they are writing it according to their views. These men having made a study and devoted perhaps years to the different departments they represent, their inclinations, their learning, is all along the lines of their departments, and they become enthusiasts in it and attempt to legislate according to their peculiar views. The people and their wishes are ignored.

That is one of the troubles in controlling the appropriations, as well as the legislation of this House. Some system ought to be evolved by which appropriations can be controlled and reduced. What is true of appropriations is true of other legislation. But as long as the present system continues it is almost impossible to do it, because the departments are able to have their way too often in regard to the appropriations and the legislation made in this House and in the Senate.

This system should be reformed in this respect. Departments are in an indirect manner performing the work of the Congress, shaping it to suit their ideas and ignoring in many instances the desires of the people who must bear the expense. A reform in this regard is essential, and I hope some plan can be devised which will correct it.

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

Mr. BORLAND. Mr. Chairman, I rise to oppose the amendment of the gentleman from Indiana [Mr. CULLOP]. Much of what he said is unquestionably true. The departments do recommend a great majority of the appropriations that get into the appropriation bills. That is necessarily true, first, because the law requires the estimates to be submitted in detail, and, second, even in the absence of such a law the natural recourse for information as to what was needed by the various branches of the Government would be to the departments. But the gentleman has probably never served actively upon any appropriation committee, or he would realize that these estimates are only the basis upon which the committee begins to act. It conducts hearings of the officials who have made the estimates, and—

Mr. CULLOP. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Indiana?

Mr. BORLAND. Yes.

Mr. CULLOP. I do not want it to be understood that I was reflecting upon the work of the committee, but here is what I am insisting on, that the committees hear the men from the departments. The people whom the committee represents, the masses of this country, have no hearing before the committee. It is an ex parte hearing.

Mr. BORLAND. I want to call the gentleman's attention to this: The committee acts as cross-examiners of those gentlemen who represent the departments and are the ones who are giving the testimony as to the various items of their recommendations. Of course they act as such cross-examiners to the best of their information and ability, which may not in many cases equal the expert knowledge of the men whom they are cross-examining, but which in all cases fully equals the average information of Members of the House on that subject, and usually exceeds it, because they have usually had experience in the committee before. Now, it is perfectly true, as the gentleman says, that every department of the Government seems to feel a natural pride in reaching out and expanding its activities and enlarging its jurisdiction and in making itself strong and popular before the people. Sometimes we think they go entirely too far in their manner and method of getting themselves before public attention. They constantly demand enlargement, and point out to the committees wonderful avenues in which their usefulness to the people can be enlarged. They frequently try to back up those propositions with an assumed expression of public sentiment.

Now, the committee discounts all of that. It discourages it. It tries to confine the department as much as possible to the duties which it was created to perform, and insists that Congress only ought to have the full right to enlarge the duties of a department and to increase and add to its activities, and that duty does not rest with the department, although the department assumes that it has that function. But the newest department in the Government, the latest man appointed, begins work with the idea that his powers and duties embrace the enlargement of his department or bureau, and we have to impress upon that gentleman the fact that Congress is the sole judge of its activities.

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

Mr. BORLAND. Certainly.

Mr. CULLOP. In other words, the departments are attempting to usurp the function of the Congress in regard to appropriations and the work of the departments?

Mr. BORLAND. We frequently think so, and when we think so we try to restrain them and to call their attention to the fact that they must not recommend things that the law does not authorize them to perform, however much they may think those things would be beneficial as branches of the public service.

But I wish to say that Congress itself is not entirely free from blame in this regard. Congress frequently tries to override the Appropriation Committees and put in items that it thinks are popular, but which have no weight or merit or importance at all, in the judgment of the committee. Frequently the committee is placed in a position of resisting that kind of a demand on the part of Members of Congress, either individually or collectively.

What we need in this country is a central authority. We need it more under a Democratic administration than under a Republican administration. We need a central authority which shall measure the outgo of the Republic by its income, or, turning it around the other way, if you choose, measuring the income by the outgo. I think that if the American people want activities performed by the Government, and enact laws providing for those activities, such as the physical valuation of railroads, the Children's Bureau, the Bureau of Mines, and other activities that we go into, we should say to the people, "If you want those things, you must pay for them. It is not a question of giving you something for nothing. The money in the Treasury is your own money, and it can not get in there without public taxation, and if you want certain things done certain taxes must be levied to meet the expense."

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

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

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

There was no objection.

Mr. BORLAND. It is manifestly necessary that if the people want certain acts performed by the Government and

those activities involve expenditure for clerks and other expenses, some taxes must be provided to meet those expenses. I want to say, although in no particular partisan spirit, even though I think that is perhaps justifiable, that the Republican system is directly the opposite from the Democratic spirit in that respect. The Republican Party has taught the public for generations that taxation is a means of prosperity, and the more taxes you levy of a certain kind, the more prosperous the country is; that it did not make any difference whether you had need for the taxation or not, but that the very levying of a certain class of taxes was a guarantee and a means of prosperity. Under that system the American people have seen a recurrence of surpluses and deficits in the Federal Treasury. The surpluses have been almost as frequent as the deficits; but the last administration of the Republican Party was under a heavy deficit, and so reported by its official leaders. It left the Treasury under a deficit.

Mr. GILLET. Only one year. There was a surplus three years and a deficit only one year.

Mr. BORLAND. It makes no difference whether there was a surplus three years or not. The gentleman talks as if there was no deficit until the Democrats came in. The Republicans went out under a deficit.

Mr. MANN. They left plenty of money in the Treasury, though.

Mr. BORLAND. That you had obligated and could not pay.

Mr. MANN. Oh, there was plenty of money there.

Mr. BORLAND. Their idea was that the more taxes you raised the more prosperity you had, and that therefore there must be some way found to expend that money, and the attention of the people was always diverted from the levying of the taxes and centralized upon the expenditures for their supposed local benefits. Now, in my judgment, the Democratic theory is precisely the opposite. It is that the revenues of the Government must meet the expenditures, and no more; that the taxes must be limited to the necessary, honest, and proper expenditures of the Government. That makes it necessary for us to go before the American people and practically educate them to understand that the Congress is their servant to perform the governmental activities, to conduct the Government, but that it can only be paid for by the taxation of the American people; that taxes are not a means of prosperity, but a burden to be distributed as lightly and as justly as Congress, in its wisdom, can distribute them. If we can adjust our financial system to that theory, there will be neither surplus nor deficit, but we will do as I understand the British Chancellor of the Exchequer does when he goes before Parliament and explains his program. He says: "Here is what the Government purposes to spend. Here is how it purposes to raise this money. If you do not want us to expend this much, we will not raise the taxes. If you do want us to expend money for these purposes, then we must raise taxes in this particular way." Now, when Congress gets down to that point and really opens the eyes of the American people and deals with them above the table, above-board, we will quit this talk about deficits in the Federal Treasury. We have a rich Nation, with our means of taxation hardly touched by our Federal Government; we have not begun to touch the sources of taxation in this country that other countries have had to use and abuse for years; there is no overtaxation of the American people. There is none at the present time. They are not paying a dollar more into the Federal Treasury under Democratic rule than they paid under Republican rule, but they see where they pay it, and they see where it goes to.

I take it we are going to have a system that will, under the authority of the administration in power, through the proper committees of this House, provide what is popularly called a budget system; that is, that the administration will curtail the activities of the departments, and Congress will cooperate to that extent that we will only appropriate for the needs of the Government which the administration wants to make itself responsible for before the people. If it needs so much for the Army, it ought to have it. If it needs so much for the Navy, it ought to have it. If it needs so much for internal improvements, it ought to go before the people and say so, and we will put it in the tax bill and the American people will pay for it with their eyes open, and that is my idea of the budget system.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULINGS. Mr. Chairman, it seems impossible to suggest any subject on this floor that is not given a partisan aspect. In some respects I agree with what the gentleman from Missouri [Mr. BORLAND] has said. But the Republican Party in levying taxes, to use the expression of the gentleman, has simply enacted legislation that has kept the people of this country at work; and when the people are industriously employed legitimate taxation becomes a mere bagatelle. [Applause.]

The greatest mission of the statesman, so far as the material prosperity of a people is concerned, is to provide conditions that will keep the people in productive industry.

In times like these it is a pennywise economy to stop all public works. We need good roads. Now, while work is slack and men are out of employment, the Federal Government, collaborating with the States, should build a billion dollars' worth of roads. It would be the best investment we could make and a godsend to many men now out of work. As an investment it would begin to pay dividends at once. Increased taxation? Of course; but what would that signify when people are at work? After all, it costs no more to support people at work than in idleness. It would cost society as a body no more to support men at work than in idleness. And when the people are contentedly and industriously employed, taxes are a negligible quantity; besides, we would have the roads.

Mr. BAILEY. Will the gentleman from Pennsylvania yield?

Mr. HULINGS. Yes.

Mr. BAILEY. Did the famous Republican tariff keep the people employed in 1907-8?

Mr. HULINGS. In 1907-8 we had what was called a bankers' panic.

Mr. BAILEY. That is what you called it.

Mr. HULINGS. That was designedly brought about by the money interests, but it really did not greatly affect the industrial activities of the country at all. People were kept at work.

Mr. BAILEY. Not in my town.

Mr. HULINGS. Whatever legislation you enact that will keep the people industriously employed will put them in such shape that they can afford to pay taxes. [Applause on the Republican side.] That is what the Republican Party did by its tariff policy, and that is what the Democratic Party undid with its tariff policy. Now, the gentleman from Indiana [Mr. CULLOP] has referred to a subject that has attracted my attention frequently. In my service on committees in this House, which is inconsiderable, I have observed that the very first thing that is done is to refer a bill to the department to see what the department thinks about it; and if the department turns it down, in nine cases out of ten that is the end of the bill. This Government has become bureaucratic, especially with regard to these appropriations. But what are you going to do about it? I long since found out that it is not much good simply to kick. You must be for something. And if the gentleman from Indiana [Mr. CULLOP], with his great experience, finds that our practice is objectionable, that it ought to be changed, what does he propose? It seems to me that is a question that should commend itself to the experienced legislators on this floor. How are you going to go about it to better it? The department knows more about these things than any committee to which bills are referred. If you do not take advantage of their knowledge, where are you, and what are you going to do? How do you propose to better the system? I should like to ask the gentleman from Indiana what he proposes in place of the present system of what he calls bureaucratic legislation?

Mr. CULLOP. What I would propose is that somebody who is not a member of the department investigate carefully the recommendations of the department, and that person should be a disinterested one in regard to the appropriation and in regard to the work of the department. The trouble is that when a person has been employed in one of these departments for a good while he has his judgment warped, just as a man employed in any other department of life becomes an enthusiast and a partisan in favor of the department and loses sight of the wants of the people who have the burdens to bear in furthering the work of the department. So that some system ought to be evolved where the matter would be investigated by a disinterested party who is independent of the department, and ascertain the facts and report on the same.

Mr. HULINGS. I understand; I heard the gentleman say that before, but will he not put in concrete form a proposition to better the present system?

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

Mr. SLOAN. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, attention was challenged by the comparison made between 1907 and the present time. I want to state that in 1907 there were 6,494 less failures than there were in 1914; that the excess of liabilities of failures in 1914 over what they were in 1907 was \$66,513,407; that the number of failures in 1914 in this country was 1,251 more than in the banner failure year in the history of this country, which was the other Democratic year of 1893.

Mr. BAILEY. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. BAILEY. Those figures which the gentleman is quoting are for 1907.

Mr. SLOAN. 1907, 1914, and 1893.

Mr. BAILEY. How about 1908? The real effects of the panic of 1907 were not felt until 1908.

Mr. SLOAN. The failures of 1914 were 16,759, and in 1908 they were 14,044.

Mr. BAILEY. There was no great war raging then.

Mr. SLOAN. The war raging now is the only salvation of the party on that side of the Chamber.

Mr. BAILEY. Oh, I think not.

Mr. SLOAN. For the benefit of the gentleman I submit a record of the number of failures and the excess of liabilities over assets for these record years in our recent history:

Years.	Number.	Excess of liabilities over assets.
1914.....	16,759	\$162,313,407
1913.....	14,553	134,800,000
1908.....	14,044	127,500,000
1907.....	10,265	95,800,000
1896.....	15,094	99,100,000
1893.....	15,508	150,600,000

This shows 1914 as having 1,251 failures more than the next highest year in our history. It shows the excess of liabilities over assets for 1914, \$11,713,407 more than in 1893 and \$66,513,407 over 1907.

The gentleman from Missouri [Mr. BORLAND] said that we have been teaching the American people. Yes, we are being taught by Democracy—it, like experience, is a very dear teacher. You have been teaching people along the lines suggested at the expense of the losses of millions of dollars in business—60 or 70 per cent higher in 1914 than in the banner failure year in the history of the country, which was in 1893. They have not only been teaching expensive lessons to the people, but been teaching the Government an expensive lesson. In February, 1913, about the time the change of administration was to take place, there were \$140,000,000 in the general fund in the Treasury of the United States, and in the last report—I have not seen the report this morning—we have only \$50,000,000. In other words, a reduction for every business day since that time of \$150,000. A king's ransom is lost from the Treasury of the United States.

I do not believe, Mr. Chairman, because matters are not working in the smooth and ideal order that they ought to be, that we should look to England or Germany or anywhere else for the budget system and do it reverence. I think we have the best system here in America that there is in the world, with the best opportunity to work it out, and I believe that if every man on the floor of this House and the floor of the other Chamber would follow as he understands his duty under the Constitution and say to everybody else, "Keep your hands off," instead of criticizing our own system and institutions and lauding those of other nations we would be standing on the floor and upon the platforms elsewhere lauding the wisdom and the efficiency of the American system. I believe that under the American system which we have now and under which we are working, JOHN J. FITZGERALD, chairman of this committee, and aided by its able membership, can work out a better system than Lloyd George with his budget system over in England. [Applause.]

Of course I reserve the statement that if we had a chairman from this side of the Chamber he could even improve upon the excellent work of the chairman of whom I have spoken. There is not, it seems to me, sufficient pride in the American people and the Members of this body in what we have. I think we ought to stand up for it and see some of its good qualities, some of its strength, and some of its wisdom, and instead of criticizing it and finding fault, let us see its strength, its dignity, and its basis for good government in the years, decades, and centuries to come. [Applause on the Republican side.]

The Clerk read as follows:

In all, \$22,320, or so much thereof as may be necessary, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. I should like to comment at this point on the use of the American flag over the Federal buildings and elsewhere in the United States. I do not know whether in this particular instance the cost of raising the flag is divided between the Federal Government and the District of Columbia or not, but that

makes no difference so long as the flag is raised and the proper spirit of patriotism results from its floating over the Federal buildings of the Nation. We can not make too great a display of the flag for legitimate purposes. Some time ago by reason of complaints that had come from various quarters, I introduced a bill to protect the flag against desecration. The fact was that there was no Federal law on the subject; that if the flag was desecrated or abused in any way it was up to the legislatures of the various States to protect it, and some of them had no such laws. A more serious question has now arisen; the gentleman from South Dakota [Mr. MARTIN] has introduced a bill which looks to a greater respect for the American flag on the high seas. An emergency has arisen in this regard. It is reported in the newspapers this morning that a second ship, apart from the *Lusitania*, that does not belong to the American Nation has adopted the ruse of flying the American flag in order to avoid the attack of a belligerent. I find on inquiry that there is no law of the United States which in any way protects the American flag upon the high seas as against the improper or deceptive use of it by a foreign or belligerent nation or by a pirate. In times gone by it was customary for merchantmen desiring to save their lives in time of war to raise the flag of a foreign nation or of some other nation than the United States, but that was in the days of the old wooden ships when the conditions were vastly different from what they are now. Recently the *Lusitania*, a great British ship, in order to avoid the possibility of being blown up by a submarine or a gunboat, adopted the ruse of flying the American flag, the flag of a neutral nation, so far as the foreign war is concerned.

Mr. J. R. KNOWLAND. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. J. R. KNOWLAND. Does the gentleman know whether any other foreign nation has laws similar to the one proposed by the gentleman from South Dakota?

Mr. MOORE. I am informed that some of them have laws which prevent the use of their flag, so far as their ability to control its use is concerned.

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

Mr. MOORE. Yes.

Mr. COX. Did the gentleman hear read from the Clerk's desk yesterday a letter written to the gentleman from New Jersey [Mr. BROWNING] by a former officer of the United States Navy, citing the case of an American vessel during the Spanish War hoisting the British flag?

Mr. MOORE. I did not hear that letter read, but I read it in the RECORD, and I am thoroughly informed in respect to it, and, it seems to me, by reason of the fact that that letter was inserted, showing the American Navy itself had resorted to the misuse of a foreign flag in order to deceive an enemy, that perhaps it was appropriate that we should call attention not only to the bill introduced by the gentleman from South Dakota in respect to our flag on the high seas, but to other bills which have been introduced in this House with reference to the desecration of the flag in the United States. The point I am raising is this, that there would be no safety for any American merchantman if, having full confidence in the Stars and Stripes floating yonder 6 or 7 miles away, he permitted himself to draw near enough for one shot to send him to the bottom.

The CHAIRMAN (Mr. BARTLETT). The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

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

Mr. MOORE. Yes.

Mr. FESS. What effect would this have if we could pass this law?

Mr. MOORE. I am not speaking for any specific law.

Mr. FESS. I do not mean any specific law, but I mean legislation of this character.

Mr. MOORE. Mr. Chairman, I once introduced, and probably will introduce again, a bill to prevent the misuse of the flag for advertising or for other purposes in the United States. There is no Federal law to prevent that now, and I believe it would be wise, it would certainly be honorable, it would certainly not conduce to the perfidy that men sometimes resort to in the misuse of the flag on the high seas, if we had a law in the United States which would provide that if any foreign vessel used the United States ports and adopted the ruse of stealing the American flag, and thus sailing under false colors to deceive anybody, it should not have the further use of our ports.

Mr. FESS. How would we enforce that?

Mr. MOORE. I think that is possible by fine or otherwise.

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

Mr. MOORE. I yield to the gentleman from South Dakota.

Mr. MARTIN. Mr. Chairman, with reference to the particular bill that I introduced, I think, if the gentleman will permit, that it is a recognized principle of international law that each nation has complete control over its own flag. There is no doubt that when the United States or any other nation takes a position as to how its own flag can be used all civilized nations will observe that requirement. Furthermore, of course all we can do in the enforcement of any statute pertaining to foreign commerce on the high seas is in respect to isolation to our own harbors or to our own jurisdiction, and we can enforce such a law by confiscation of the boat which offends when it comes into the American jurisdiction.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to extend my remarks upon this subject. I desire to speak further, but I ask unanimous consent at this time.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOORE. Mr. Chairman, it would be entirely possible for this Congress to say to the Navy Department that what it did in the case of Santiago shall not be done again. We have got to be fair and square with other nations if we expect them to be fair and square with us. We have no more business to sail under false colors than any other nation. It is unfair and unwarranted.

Mr. PLATT. Will the gentleman yield?

Mr. MOORE. I will.

Mr. PLATT. Does the gentleman know the United States Navy has done that on a good many occasions—that a transport going to the Philippines hoisted the Spanish flag?

Mr. MOORE. I do not know of many of these cases.

Mr. PLATT. It has been done a good many times.

Mr. MOORE. I referred particularly to the letter in the RECORD yesterday introduced by the gentleman from New Jersey [Mr. BROWNING], in which an officer of the Navy stated specifically that when they were sailing in belligerent territory and in danger they raised the flag of the British nation in order to escape the Spaniards. Now, if the American Navy permits this thing to be done, and the American Congress permits the American Navy to permit this thing to be done, then there is no ill grace in the English nation saying to its merchantmen or men-of-war, "If you are in danger anywhere, raise the American flag, because that is the flag of a neutral nation just now." Now, I want to say this, that there are regulations governing the Army of the United States at war which prohibit the use of any foreign flag or any deceptive measure or the sailing under any false colors to avoid an enemy.

Mr. MANN. If my distinguished friend from Pennsylvania had had the luck to be one of the officers gracing the Navy instead of gracing this House, as he does, and he were in command of a naval vessel where an enemy was superior in strength and came in sight, and where if they knew he was in command of the vessel they would blow it out of the water or down in the water, what would he do? Would he rather raise the flag of some other country or have them sink him to the bottom?

Mr. MOORE. If I were going to die upon the land or on the seas, having a commission from the United States Government, I would rather die under the Stars and Stripes of my Nation than to go down under any other flag. I think that answers the gentleman's question.

Mr. MANN. No; I was asking the question whether he would rather live or die. The gentleman only gives the case where he would rather die.

Mr. MOORE. As to that, I recall a celebrated incident in the Revolutionary War. I can see in my mind now the gallant Capt. Lawrence as he was being carried below say to the sailors about him, "Don't give up the ship." I think if our gallant sailor boys were in a fight they would rather go down under the Stars and Stripes than any other flag.

Mr. MANN. Mr. Chairman, I am very much interested in this question both from reading what the newspapers have said and from what gentlemen have said on the floor, and from reading the history of the regulations of the different navies, and from reading history where we frequently have read of the raising of a flag by a foreign nation in order to protect the vessel. All I want to say is this: I think the captain of a vessel, naval or merchant, who would prefer to send his crew to destruction, to the bottom of the sea, rather than tell a lie has a superior morality to anybody who has common sense. [Applause.] Why, the very essence of warfare is lying and deceiving the enemy. That is what everybody engaged in war

is trying to do, and to say that you will be so high-minded that you send word to the enemy where you are, and how many people you have got, and how you are located, and what your strong points are, and what your weak points are, gets me. Here you refuse to raise a little bunting, the flag of a foreign nation, or otherwise, in order to protect your vessel, which may be essential to the success of your country. I think that anybody who was in danger—and I am afraid my friend from Pennsylvania, if he were in danger, would seize the opportunity, as he seizes all opportunities—would run up any kind of a flag to save his vessel.

Mr. MOORE. Take the other horn of the dilemma, where a designing captain raises a false flag for the purpose of deception and steals up on a neutral. What would the gentleman say to that?

Mr. MANN. I can see no object of a designing captain stealing up on a neutral. What difference does it make; he can steal up on a neutral, but he is not at war with a neutral, and if a captain, designing or otherwise, can steal up on a neutral and fire a gun, that would be an act of war.

Mr. MOORE. Well, take a neutral carrying contraband.

Mr. MANN. A neutral carrying contraband is not subject to be fired upon unless they refuse to stop. Of course, I appreciate the fact that if all the British vessels should fly American flags in a territory where the German submarines were seen to approach to the surface there might be an accident happen; and I am very sure that would raise a good deal of trouble, because, whether that is done or not, it is the duty of any war vessel before it attacks a merchant vessel to know whether it is a neutral vessel or not.

Mr. MOORE. In extension, I desire to incorporate an excellent treatise that has just been prepared for me on this subject by Jasper Yates Brinton, Esq., a former assistant United States district attorney at Philadelphia. He has grouped his information on this subject so admirably that I think it will make profitable reading. Mr. Brinton's statement is as follows:

THE RIGHT TO THE FLAG—ACTION CALLED FOR BY FEDERAL GOVERNMENT TO PROTECT OUR COLORS ON LAND AND SEA.

[By Jasper Yates Brinton.]

It is clear that the *Lusitania* violated no rule of international law in raising the flag of the United States as a ruse to escape capture by a German torpedo boat. The incident, however, will serve a useful purpose if it directs public attention to a situation in which all neutrals are deeply interested, but one which has been completely neglected in international conventions and conferences.

There are no clearly established rules of international law regulating the display by merchantmen or flags of another nation.

In a general sense, however, the right of a State to take action for the protection of its flag and to prescribe the conditions of its use is well recognized, although in the absence of affirmative action by statute or treaty no ground for diplomatic complaint exists. The matter is one which in the first instance must be dealt with by the municipal law of a State or by treaty.

The strongest expression of the general principle is thus voiced by Calvo, a distinguished European authority on international law, who observes:

"The flag is a visible sign of the national character of a ship. Each State has its own colors under which its nationals sail, and it can not be used without its permission. The assumption of the flag of a foreign State without its authorization is considered a violation of international law, as a device both fraudulent and injurious to the flag of such State. Both the State whose flag is wrongfully used and that in regard to which the use of the false flag is made have the right to demand the punishment of the guilty persons and, according to circumstances, to punish them themselves."

The same principle is recognized by Oppenheim, perhaps the leading British authority on the subject:

"It is another universally recognized rule that men-of-war of every State may seize and bring to a port of their own for punishment any foreign vessel sailing under the flag of such State without authority."

International law is silent, however, as to the enforcement or definition of this general right. Certain it is, if there is to be "punishment" for its violation, such punishment must be dependent upon statute or treaty, according to the locality of the offense and the nationality of the ship, upon such a statute, for instance, as the British shipping act of 1894, which punishes by forfeiture of the vessel any misuse of the British flag, except it be for the purpose of avoiding capture by an enemy or by a foreign ship of war in the exercise of some belligerent right.

So far as such affirmative action is concerned, the record of the United States is one of complete silence. Congress has not even taken action to protect the national flag upon land, leaving its protection to the uncertain guardianship of the several States.

In 1879 Secretary Everts observed: "It may have been the intention of Congress when it prescribed the national flag that it should be used only by vessels of the United States as defined by law. No such intention, however, is expressed in any statute."

In line with this conclusion vessels purchased by American citizens abroad, although not entitled to American registry or to be classed as vessels of the United States, have always been held entitled to the American flag, although no declaration has ever been made as to when, if ever, vessels should not be so entitled.

This omission is not the result of oversight, for in 1872 the Solicitor of the Department of State, in commenting on the absence of any law upon the subject, remarked:

"Congress, under these circumstances, should, in my judgment, either forbid any vessel to carry the flag of the United States which is not a registered vessel of the United States or to provide for the giving of some official certificate to vessels wholly owned by citizens of the United States, wherever built."

In this connection it is of special interest to note that the use of false colors by war vessels was made one of the several topics for general discussion at the annual conference of the United States Naval War College at Newport in 1906. The conclusion of the conference was that the use of false colors by public vessels in war should be prohibited. In the course of this discussion reference was made to the question of the merchant flag. The reference is timely and of particular interest as being practically the only utterance of an official character bearing on the topic:

"It is held by some that the prohibition of the use of false colors should be limited to their use by the public vessels of the belligerents. It is argued, with much force, that the use of false colors by a neutral vessel would be in itself such strong evidence that the vessel was carrying contraband or engaged in unneutral service that the practice would be rare; and, further, to prohibit a private or merchant vessel of a belligerent from using her enemy's or a neutral flag as a possible means of diverting her enemy's attention and thus escaping capture is to deprive her of a legitimate stratagem, which involves only permissible deceit, not the slightest degree of perfidy, and no injury to the neutral in case a neutral flag were used."

In the light of the allegations now made by the German Government in respect to the alleged misuse of neutral flags by Great Britain and of the measures of retaliation now proposed by Germany, which include a statement that "in view of the misuse of the neutral flags ordered by the Government of Great Britain on the 31st ultimo, and of the hazards of neutral warfare, neutral vessels can not always be prevented from suffering from the attacks intended for enemies' ships," the problem suggested in the above paragraph assumes new and significant proportions.

On the one hand every neutral is likely in its turn to become a belligerent, and sooner or later possibly to find occasion for the temporary use of the neutral flag as a protection for its shipping. On the other hand, it is equally clear that the continued use by a belligerent of the flag of a neutral would inevitably tend to deprive the neutral of the full measure of protection which rightly belongs to its flag, as it might compel the opposing belligerent, under the exigencies of war, to adopt a course which, notwithstanding the obligation on a belligerent to ascertain the character of a merchant vessel and cargo before capture, might prove of no little inconvenience, and possibly of some danger, to neutral vessels flying their proper flags.

Upon this point the following language from the arguments presented in the discussion held at the Naval War College conference referred to, in support of the conclusion reached that the use of false colors by war vessels should be prohibited, applies with equal force to the use of false colors by merchantmen:

"It is now generally considered that a neutral has an exclusive right to the use of his own flag and the right to prescribe under what conditions it may be used. Of course this right to the exclusive use of his own flag may place upon the neutral certain obligations to guard against its misuse. A neutral would seem to be acting reasonably in demanding that his national emblem shall not be used by a belligerent to cover any act which may work injury to the other belligerent, which, as regards the neutral, is a friendly State. While the practice has hitherto been tolerated, it seems to be an infringement of the natural rights of the neutral State. It may also work hardship for a neutral vessel, for when the use of its colors is permitted to either belligerent it can not surely establish its identity by raising its national flag. Such standards of action have long been eliminated from land warfare, and its continuance on the sea is hardly in accord with the standard of fair dealing which generally obtains in naval warfare."

As has already been indicated, however, the conclusions here expressed are merely suggestions as to what should be made the law by international treaty or convention, and do not express the law as it exists.

So far as the use of false colors by war vessels is concerned, the situation is equally unsatisfactory. The present rules of international law clearly permit the use of false colors up to the point of the firing of a gun, before which time, however, the true national flag must be displayed. The attempt of Rear Admiral Stockton to change the American rule by a regulation which was embodied by him in the Naval War Code, as adopted by the Navy, was subsequently defeated by a rescinding of the regulation at the instance of naval officers.

As pointed out in the discussion before the War College, the existing rules of international law upon the subject are an inheritance from the early days of wooden sailing vessels and short-range guns. Since that time the conditions of war at sea have fundamentally changed, but the rules have not been changed to keep pace with them. At the time they were formulated, neutral rights were little considered, and the use of a neutral flag would have been regarded as a matter in which the neutral party had little concern. The approach to each other of the slow sailing vessels of the seventeenth century readily permitted time for the determination of the identity of a vessel, and thus furnished opportunity for action in case of mistake. Surprise, therefore, was not a matter of grave importance. To-day, however, a speedy and concealed approach has become a matter of first importance in naval warfare, as the first shots are often decisive of the battle.

Thus the whole reason for the rule which tolerated the use of false colors has been removed, and it seems clear that the use of a false flag by a belligerent should be effectively prohibited. Such use of the neutral flag in war should now be held to fall within the general class of offenses involving perfidy and, as such, forbidden by international law; and the rule of respect for a neutral flag and of just protection for neutral shipping should equally forbid the misuse of a neutral flag by the merchantmen of a belligerent power.

The rule as to false colors is, of course, altogether distinct from the rule which has been generally observed both by Great Britain and the United States requiring the display of the national flag before the firing of a shot.

The British Manual of Prize Law above referred to specifically provides that "before firing, the commander, if he has chased under false colors or without showing his colors, should be careful to hoist the British flag and pennant."

Similarly the Regulations of the United States Navy, 1905, provide that "under no circumstances shall he (the commander) commence an action or fight a battle without the display of the national ensign."

While, therefore, the failure to display the colors until the moment immediately preceding the opening of hostilities can not be regarded as an act of perfidy, it being for the enemy to find out for himself the nationality of the approaching vessel, it is clear that the rule which permits it, when applied in conjunction with the existing rule, or, rather, lack of rule, as to the use of false flags, it is a potent instrument for deceit and perfidy. As pointed out by the War College, the most essential part of a modern action may be not the firing of a gun, but the

getting within range. To permit an enemy to come within range under a neutral flag and then to hoist the true standard at the moment of dealing the death blow is shocking to all modern conceptions of honorable warfare.

In sharp and illuminating contrast with the situation as to naval warfare are the rules applicable to war on land. Upon land the use of false colors is universally recognized as a form of deceit involving perfidy, and is strictly prohibited. As long ago as 1863 we find in the instructions to the United States Army for the following:

"The use of the enemy's national standard, flag, or other emblem of nationality for the purpose of deceiving the enemy in battle is an act of perfidy by which they lose all claim to the protection of the laws of war."

So, too, in the Oxford Manual for 1880, we find it provided:

"It is forbidden—

"(d) To make improper use of the national flag, of signs of military rank, or of the uniform of the enemy, of a flag of truce, or the protective marks prescribed by the convention of Geneva."

Under The Hague convention of 1899 it is provided:

"Besides the prohibitions provided by special conventions, it is especially prohibited—

"(f) To make improper use of a flag of truce, the national flag, or military ensigns, and the enemy's uniform, as well as the distinctive badges of the Geneva convention."

The discrepancy between the rules of the flag for warfare on land and at sea has long since ceased to be based on solid reasons of public policy. It would seem to be highly fitting that the United States should take measures to abolish it forever and to extend this abolition to warships and merchantmen alike.

Such action, however, must look to an international agreement that would prevent the United States from being placed at a disadvantage with the powers in times of war.

It is high time that this country should lead the way back to the writing of this rule into the law of civilized nations.

Mr. MARTIN. Mr. Chairman, near the end of the session on Monday afternoon I made some remarks upon this subject. I have taken some pains to investigate international law, so far as it is available upon the question. The House is certainly under obligation to the gentleman from Pennsylvania [Mr. Moore] for the item he proposes to put in the Record in connection with his remarks under leave to extend. He has done me the honor to give me an opportunity to read it, which I have done with very great interest. It is a better compilation of international law as to a nation's control over its own flag and what ought to be done with it than can be found in any single work on international law.

We find this curious situation in the development of the law of nations on the subject of their flags: More than half a century ago all civilized nations provided in their rules of warfare that nothing but the flag of the nation actually in conflict should be used in war upon land, and that has been our law ever since 1863. The instructions to the Army in 1863 contained this paragraph:

The use of the enemy's national standard flag or other emblem of nationality for the purpose of deceiving the enemy in battle is an act of perfidy by which they lose all claims for protection under the laws of war.

The same is the law of Great Britain in fighting upon land, but by reason of some curious anomaly, which is understood only when you look into it carefully, the use of a foreign flag as a ruse has been allowed on the sea. Of course land warfare has always been a hand-to-hand combat, and therefore the need of fairness even in war has always been recognized on land. On the other hand, battles on the sea have been of a very different character. But in the march of progress, now, as soon as a vessel may come in sight over the horizon, a modern gun may destroy it; and recently, with the use of the torpedo, and particularly now with the use of the submarine, the whole damage may be done in an instant, and therefore any nation that has afloat on the high seas either a warship or a merchant marine is vitally interested in the integrity of its emblem of nationality.

We use a flag. What does it mean? It means American sovereignty, and will be defended in connection with all that American sovereignty means. At our War College in Newport in 1906 the advanced thought on this subject was formulated and embodied in their report, and I will just read from the recommendation of our military experts upon what should be the treatment at sea as well as upon land. This was the recommendation of our War College at Newport in 1906. I read:

It is now generally considered that a neutral has an exclusive right to the use of his own flag and the right to prescribe under what conditions it may be used. Of course, this right to the exclusive use of his own flag may place upon the neutral certain obligations to guard against its misuse. A neutral would seem to be acting reasonably in demanding that his national emblem shall not be used by a belligerent to cover any act which may work injury to the other belligerent, which, as regards the neutral, is a friendly State. While the practice has hitherto been tolerated, it seems to be an infringement of the natural rights of the neutral State. It may also work hardship for a neutral vessel, for when the use of its colors is permitted to either belligerent it can not surely establish its identity by raising its national flag. Such standards of action have long been eliminated from land warfare, and its continuance on the sea is hardly in accord with the standard of fair dealing which generally obtains in naval warfare.

Now, I want to emphasize again the statement that I made the other night. In my judgment, if we permit any of these belligerent nations indiscriminately to use the American flag in order to disguise the actual nationality of their ships, it will inevitably lead us into serious international difficulties, even if it does not lead us into partisanship in this war. Under present conditions of naval warfare we must perform our duty as a neutral, because unless we protect our own ships by our own flag and prohibit its indiscriminate use by belligerent nations—and one belligerent has just as much right to use it as any other—we are bound to become involved in international complications.

And I might say, touching the suggestion of the gentleman from Illinois as to what would be the first inclination of a man in saving himself or those under his command in a war at sea, that those considerations do not do away with the fact that there are some standards even in warfare, and it does not do away with the importance of this Nation's maintaining upon the sea as well as upon the land absolute neutrality as between the belligerent powers and the absolute safety of its own craft.

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

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

Mr. MARTIN. Yes.

Mr. GARNER. Taking a concrete illustration in this case, suppose England insisted that she has the right to use the Stars and Stripes in case of danger, and we insisted to the contrary, would not that bring about some complications?

Mr. MARTIN. International law has gotten to this point, beyond all controversy, that while all nations have not agreed as to the conditions of naval warfare as they have upon land, yet they have agreed to this by all recognized conferences, that every nation has the right to prescribe how its own banner shall be used, and therefore if the United States shall make it clear that in its opinion it is not consistent with its rights and duties of neutrality that its flag shall be used indiscriminately on the high seas by belligerent powers no nation will question that position.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MARTIN. Mr. Chairman, I ask three minutes more, if the Chair please.

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

There was no objection.

Mr. GARNER. But just at this particular time, if the United States did insist that its flag could not be used by one of the belligerent powers, and the other power said it would be used, what would be the result?

Mr. MARTIN. Oh, well, that is a contingency that you do not need to anticipate. It is not a contingency that contains anything like the peril which will follow if we do not protest against the indiscriminate use of our flag, which would mean that every boat rightfully flying the American flag would have to remain in an American port or under cover.

Mr. MOORE. Mr. Chairman, will the gentleman yield there?

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

Mr. MARTIN. Yes.

Mr. MOORE. Is it not true that the American Government has made no declaration on this subject with respect to its flag on the high seas?

Mr. MARTIN. Not except the declaration or opinion of the War College.

Mr. MOORE. If the Government should declare that it did not want its flag used either for decoy purposes or perfidious purposes, what would be the result, in the gentleman's opinion?

Mr. MARTIN. If we made such a declaration, every nation would be bound to use our flag only in the way that we prescribe.

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

Mr. MARTIN. Yes.

Mr. FESS. Our flag is the emblem of neutrality. Now, if we permit it to be used without our protest, what protection would we have?

Mr. MARTIN. Absolutely none. Any merchant marine of ours on the sea, if we did not protest against our flag being used for belligerent purposes, would be in danger of the consequences of such an act.

Mr. MOORE. How would a belligerent ship distinguish between a ship of another belligerent flying our flag and an innocent American merchantman flying our flag?

Mr. MARTIN. It is impossible for them to detect it until they get so close that the whole advantage of warfare is gone. A submarine, for instance, keeps out of sight. It does not closely scrutinize to see what kind of a ship it is. It gets its information from the flag. It does its work by getting in under the craft to be destroyed. A submarine might be destroyed by a single shot fired from a gun that might be carried by a merchant vessel. The submarine keeps out of sight. It obtains its information as to the nationality of a ship from the flag it flies, and if it is the ship of a belligerent power it lays its plans to destroy it, and that is its purpose.

Now, by what I have said I do not mean to intimate that there is any lessening whatever of the right of an American citizen anywhere in the world to be protected by the American flag. If the *Lusitania* had been in danger of destruction—which I know not—the American citizens aboard that vessel might have gathered in a group and raised the American flag themselves, as indicating by that visible emblem that they desired the protection of the American Nation and that they were American citizens.

That would have been no violation of any rule of war or any rule of peace. In a foreign country an American citizen may raise the American flag to show that he is an American citizen and that he expects to obtain its protection, and his right to do so would be recognized by the laws of nations.

I have called attention to this matter not in any spirit of criticism of the administration at all. I realize that in time of war the difficulty of sailing between Scylla and Charybdis, in the dangers that beset us, is very great, and I would not have anything I might say embarrass the administration to any extent, but I desire to say that the rules of nations, as recognized by advanced international thought upon the subject, consider it as much an act of perfidy to deceive in naval warfare as in war upon the land as to this precise question of the right to use the flag of a neutral nation. And I say, furthermore, that the right of each nation to say how its flag shall be used is recognized everywhere. And in the next place, and finally, unless we do prescribe how our flag may be used, if we permit it to be used by belligerent nations indiscriminately as a means of disguise, we not only imperil our own sea craft but we thereby, in my opinion, desecrate the flag, and the ultimate result would be that it would become a byword between the belligerent powers as well as among neutral powers everywhere.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn and the Clerk will read.

The Clerk read as follows:

Washington Monument: For custodian, \$1,200; steam engineer, \$960; assistant steam engineer, \$840; fireman, \$660; assistant fireman, \$660; conductor of elevator car, \$900; attendants—1 on floor \$720, 1 on top floor \$720; 3 night and day watchmen, at \$720 each; in all, \$8,820.

Mr. DIES. Mr. Chairman, the discussion seems to have wandered somewhat from the measure under consideration, not only from the bill itself, but to a very foreign field, to wit, the flag of the United States, a most interesting subject and one that I wish I had time to illuminate and adorn. Of course, that is a very interesting question now, because there is a variety of opinion in our country with regard to conditions growing out of the war, not only with regard to the use of the flag, but with regard to other matters. I know that down in my own country we are very solicitous about the soaring price of wheat, and we are very anxious that there be less of it shipped away from our country, because it is making the price of bread very high among our people. I will say in passing that there is no clamor in my section of the country—which I imagine to be about as patriotic as the balance of the country—with regard to the flag or with regard to ships to take away any more wheat from our country and get it abroad; although I understand those who have wheat to sell are still quite anxious for new and more rapid facilities with which to get it abroad.

Mr. BRYAN. How about cotton?

Mr. DIES. I was just coming to that. Our people have been somewhat alarmed at the slowness with which cotton has been moving abroad. However, I notice that in the last few weeks the movement has grown to be quite heavy, having broken all previous records—almost 4,000,000 bales, in fact, for the eight weeks ending January 30. And I understand, although I have not the exact figures at hand, the last week has greatly increased the weekly exportation of cotton, and that it is now greater than it was the week before—so great, in fact, that some of the newspapers down in my country are beginning to warn the growers of cotton and the exporters of cotton that the tremendous exportation is likely to break the price of it. Cotton, as you will understand, is now going steadily up, and there is some fear that this great exportation of it that has set in from the ports of the United States to

European countries is likely to damage the cotton farmer, because he will dump his cotton in too great a quantity upon the European market. For instance, it was pointed out in the Texas papers a few days ago that this extensive exportation of cotton had already broken the market in a certain European country $3\frac{1}{2}$ cents a pound in one day.

Mr. BRYAN. I was just going to suggest that the great exportation of wheat is likely to have the same effect on the price of that commodity.

Mr. DIES. That may be true, though I dare say that the bread eaters in my country are not alarmed at the breaking of the price of wheat. In fact, the alarm down there is over the fact that they will not get any bread to eat if we keep on shipping wheat into European countries.

But I did not rise for the purpose of taking the time of the committee in the discussion of the price of wheat. For one, if I may belabor you with my opinion, while I regret for those of my constituents who are using wheat bread that the price of wheat is so high—for one, I would not be willing, if I could do it, to put the price of wheat too low, because I believe the man who raises wheat is entitled to a fair share of the prosperity of the country, and if it happens that his product goes up, why, I want him to have the benefit that falls to him from the high price of his product.

Mr. MOORE. Will the gentleman yield?

Mr. DIES. Yes.

Mr. MOORE. From what port is the cotton raised in the gentleman's district shipped?

Mr. DIES. From Port Arthur, Galveston, New Orleans, and some from Mobile.

Mr. MOORE. Can the gentleman say whether there has been any great congestion of cotton at that port or in the ports of the vicinity that the ordinary ships could not carry?

Mr. DIES. At the outbreak of the war there was a great deal of congestion, no doubt, as most every gentleman knows—and I expect I know less about it than others—those who use raw cotton carry a reserve on hand. I imagine that is the case in Europe, and they were carrying a good deal, and when the war broke out, in the excitement and turmoil ensuing, they were using the reserve. Now the reserve is in danger, and they are beginning to import cotton, and I have no doubt taxing the carrying facilities.

Mr. MOORE. To the ports or from the ports?

Mr. DIES. That is according to what ports the gentleman is speaking of. If you are taking our ports, it is from, and if you are taking European ports, it is to.

Mr. MOORE. Take my port of Philadelphia, and the shipments have been proceeding in an almost normal way. There has been some congestion due to conditions on the other side. I was wondering what the conditions were at the ports of shipment in the gentleman's vicinity, whether there was such a congestion as warranted our purchase of additional ships.

Mr. DIES. Mr. Chairman, I had not purposed to go into a discussion of the shipping bill, and I shall not do so now.

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

Mr. DIES. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Texas asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. DIES. Mr. Chairman, of course there are a number of vessels that have been destroyed during the war. Moreover, I understand that a great many of the waters of the country have been strewn with mines, and that there is a great amount of danger and delay now attendant on the interchange of commerce between our country and Europe. That was the case after the war broke out. That, of course, is making some congestion and some confusion, and inevitably so.

Mr. SLAYDEN. Will the gentleman permit me to interrupt him?

Mr. DIES. Yes.

Mr. SLAYDEN. Is the gentleman familiar with the fact that at the beginning of the current month there were on shipboard ready for exportation at the various ports from which cotton usually comes 582,000 bales, and that last week on one day 136,000 bales were exported, breaking the record?

Mr. DIES. And breaking the price.

Mr. SLAYDEN. To some extent, but not much. The price stands up amazingly well.

Mr. DIES. I have no doubt that if the country could exhibit its usual patience about these troublesome matters that they would right themselves in the course of a few months, or in the course of a little while.

It occurs to my mind that recently the Secretary of the Navy, in his report for 1913, recommended to Congress that the Gov-

ernment go into the business of operating oil wells and refineries. At that time I remember very well that the Government was paying \$1.73 for oil; oil was quite high. We were getting \$1 a barrel in my country at the well. However, Congress, with its usual sluggishness, did not make the appropriation to put the Government into the refining business, and now the price of oil has dropped down to 40 cents a barrel; and, I understand, although not officially, that the Government is getting oil at a satisfactory price, and the necessity for embarking the Government into the oil-well production and refining business has passed for the moment, and that the demand to have the Government go into all fields of business endeavor by waiting a few months or a year would pass away.

Of course I make no indirect allusion, nor do I desire to allude now, to the purchase of ships. [Laughter.] Far be it from me.

Mr. MOORE. Will the gentleman yield?

Mr. DIES. Yes.

Mr. MOORE. It may be interesting to the gentleman to know that the three commodities that have gone out of the port of Philadelphia are grain, in the rough, wheat, and oil. There has been a very large increase in the shipments of oil. The normal business of the port has not been quite so strong during the month of January as it was the preceding January, and therefore the necessity for new ships would appear to come largely from the demands of those who desire to export oil and grain and, possibly, cotton in the gentleman's own section. I thought that might interest the gentleman.

Mr. DIES. I do not know as it does interest me. I do not want to influence this body by saying that the Standard Oil Co. is behind the proposition to buy ships. That argument is quite threadbare.

Mr. MOORE. The gentleman knows that we established a Government insurance bureau, for which we appropriated \$5,000,000, and that we have insured the cargoes of many ships that have been compelled to do business by reason of the war.

Mr. DIES. I had not quite finished my observation about the Government going into the oil business. Of course I knew perfectly well that when the Secretary of the Navy, for whose political sagacity and learning I have the most profound regard, would be forced to concede once the Government embarked in the oil-producing business and in the refining business—as a man who has had some practical experience and opportunity of observation, I knew that the Government would be compelled to go into the pipe-line business, because the oil at the well would avail the Government nothing unless it was transported to the refinery, nor without ships to engage in the regular business. I knew, too, that the pension bill and the public-buildings bill and the rivers and harbors bill would be very mild abuses compared with what would happen should the Government enter the oil business; and, of course, the Government would be a victim at almost every turn. But, if I am not tiring your patience—and you seem to have great patience in the discussion of this bill—that is a subject that is disturbing my dreams as a Member of Congress.

If I am earnest about anything in this world, if I am wrought up over any public question, it is this cry of having the Government of the United States take over the activities of individuals and putting the Government into Government ownership. You will be my witness when I say that I have tired this body of men often, not only in this Congress but in every Congress of which I have had the honor to be a Member, with this question. I am glad now that in this Chamber, and in another Chamber not far from here, other gentlemen, whose words carry more weight than mine, are beginning to become alarmed at this proposition of having the Government become the manager of business and the handler of pay rolls.

Mr. BORLAND. Mr. Chairman, does the gentleman yield?

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

Mr. DIES. Mr. Chairman, I ask to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DIES. I yield to the gentleman from Missouri.

Mr. BORLAND. The gentleman has expressed himself so strongly against Government interference in private business that I take it he was against the cotton-loan proposition.

Mr. DIES. Mr. Chairman, my friend did not do me the compliment to follow my expressions upon that question or to have observed my vote. I had the great pleasure, Mr. Chairman, of raising my voice against that monumental piece of sophistry, to use no harsher term, notwithstanding the fact that my district is one of the very largest producers of cotton in

the United States. I voted against undertaking to vitalize the so-called Henry bill at the beginning of this session.

No, Mr. Chairman, whatever faults I possess, that of hypocrisy and that of a desire to occupy a seat in this Chamber at the expense of palming off gold bricks on the farmers of my district is not one of my vices. [Applause.] I am not a particularly brave man, but I did, however, give up the first office I ever had because I would not support free silver. [Applause and cries of "Good!"] I had just gotten back from the university and had been elected county judge. I might have been wrong about it, but I got it into my head in some way or other that that thing was not for the good of the people in my country, and I did not know much about any other country at that time; but I believed then, as I believe now, that a stable currency is as much to the interest of the farmers of my district as it is to the bankers of Wall Street or Lombard Street. I will tell you another thing. I never have brought myself, in my most selfish moment, to a point where I am willing to occupy a \$7,500 berth at the expense of the taxpayers of this country by palming frauds off on those whose backs are bended in my district with toil. As I occupy a place in this Chamber—and I am no saint; I have enough holes in my armor to drive an ox team through—my mind goes back to the farmer in his field, rising with the sun in the morning and toiling until it sets at night. Probably he is trusting me or you in this Chamber to deal fairly with him, to come square with him and tell him the truth about public questions. Of course I knew, and we all knew, that the Government was not going to buy 5,000,000 bales of cotton any more than it was going to buy 5,000,000 mules or 5,000,000 bushels of corn or wheat or anything else. Of course I knew and you knew and we all knew, down to the pages who work in this Chamber, that the Government was not going to lend any money to the cotton farmer directly upon his cotton. I knew and we all knew that the Government did not have any money to lend; that it was just at that particular time sitting in solemn conclave, deciding which pocket of the taxpayers to insert its hand into in order to get a little more money for itself to run the Government. [Laughter and applause.]

Mr. Chairman, without criticizing my colleagues who see the matter differently—and they are as honest as I am, and many of them are better informed—and only speaking for myself, if I had committed myself to what I conceive to be a monumental fraud on the farmer and had told him that the Government was about to lend him money on his cotton or buy his cotton, then I would as soon try to trade him a gold brick, or I would have felt just as if I were perpetrating a fraud upon the men to whom I feel more grateful than any men in this country—the farmers of my district—who are toiling in their fields, depending upon me to come square and honest with them upon that question as upon other questions.

Mr. Chairman, this discussion has wandered far away from the budget matter. Where it will wind up nobody, of course, can tell. I regret that it has gotten into the war zone, because I think that is one of the most dangerous and dynamic questions that we could discuss in this Chamber. I was in hopes that the discussion would cling around some plan to curtail appropriations. I think if there is a serious thing for the Congress it is to find some plan to put an end to this friendly rivalry between a few committees to see which can appropriate the most money. Of course I appreciate and sympathize with a supply committee, for instance, like the River and Harbor Committee.

If we go to them and say, "Gentlemen, you ought not to appropriate so much money," they will say, "Yes; we know that; but there is old Gen. SHERWOOD sitting right by the door of the Treasury ready to grab anything that lies around loose for his pensioners if we do not get it." [Laughter.] Then I sympathize with the man who wants a public building in his district, but who also informs you that it is a losing game for the Government, and that the Government could get along a whole lot better by renting instead of building. He says, "Yes; but if I do not get it for a building in my district, Hobson and these fellows will take it for another battleship or a gunboat." And so, Mr. Chairman, we see this rivalry of committees, each anxious to appropriate more money every year, each anxious to acquire more power every year, and I do not know how much further it can go. We are taxing incomes; we are taxing a good many things under the war tax; we are taxing almost everything in the country, and the ball goes merrily on, so far as appropriations are concerned. I remember when I first came to Congress—and it is only a little while, and I fear it is going to be just a little while more that I shall stay here—the appropriations for the Agricultural bill amounted to about \$15,000,000.

Mr. GARNER. Eleven million dollars.

Mr. FITZGERALD. It is now \$24,000,000.

Mr. DIES. In any event, it was a small sum compared to what it is now. I do not blame the chairman of that committee or its members. Power is one thing that every rational man wants. Next to self-interest it is the most universal of all of the passions—power. That is one reason this Government was made with three independent coordinate branches. Mr. Madison said that he wanted it so fixed that each branch would have that power and influence to prevent encroachments of the other branches of the Government, and that is the reason why this Congress is so independent of every other branch of the Government. [Laughter.] It is because men love power.

Mr. POWERS. Will the gentleman yield?

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

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and all amendments thereto close in five minutes.

Mr. NORTON. Mr. Chairman, reserving the right to object—

Mr. DIES. Mr. Chairman, I do not care to take any more time.

Mr. NORTON. Mr. Chairman, I do not object; but reserving the right to object, I would like to know why—

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate upon this paragraph and amendments thereto expire in five minutes.

Mr. MANN. I hope there will be no objection, because we must make some progress with the bill.

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

Mr. NORTON. I desire to ask the chairman of the committee why this unseemly haste in the passage of this bill? [Laughter.]

Mr. DIES. What I was about to say was this: I commend the activity of the Agricultural Committee and all the committees of the House in the service of their country, and we know they have to go a long way to stretch the blanket in a great many instances and increase these appropriations in the rapid manner in which they are doing. Now, I have no doubt that much of the money, probably three or four millions of the money, spent in this Agricultural appropriation bill is doing a great deal of good for the farmers of this country, and I have no doubt if this matter is not halted, and if you do not get some sort of a correlation of the powers that appropriate the money, that this thing will go on until the farmer can not walk around his haystack without running over some fellow on the pay roll of the Government. I do not doubt if some check is not put to it, if some period is not placed on this disposition of these committees—that is, if the people do not rise up in revolution and cast us out—I do not know what will happen.

It seems that there are certain high-browed and intellectual persons in this country whose knowledge of farming has been generally obtained from the window of a Pullman palace car, who think that all the people of this country have gotten to a point where the Government should establish a guardianship over them, lest they break some of their bones or strain some of their muscles. The farmer must not only be taught how to get ticks off of cows, but he must actually have a man go with him and hold the cow in the vat, and, if necessary, coerce him into seeing that the ticks can actually be killed by inundation in the vat. We will so continue unless gentlemen can evolve some system that will give assurance to one of these committees if it does not appropriate the usual and unnecessary millions that these unnecessary millions will be licked up by some other committee standing ready to grab them. I say I regret the discussion is getting away so rapidly from that branch of the public service, because this body does not pass appropriations in the sense that we consider the legislation. Do you consider the merits of a public building outside of your district? Do you consider the merits of a pension bill that does not go to some man in your district? Do we consider carefully and on their merits appropriations for rivers and harbors unless they are in our district? So that these committees, backed up by persons interested in the bill, prize at each other, and the wonder to me is not that the appropriations are growing, but the wonder is that they have not grown in greater proportion than they have. Now, just this other word. I wish some system might be evolved, might be worked out by sensible men, so that some control should be given to these tremendous expenditures of public money. I know as well as I am living that the day is going to come when the taxpayer is going to look to the manner in which we pass these appropriation bills, and we will not be able to deceive him longer with hollow promises. The less learning a man has the deeper his prejudice is when he is

aroused to the truth that you are not playing fair with him. The day is going to come when the wheat grower will look out over the wheat fields, when the cotton grower, bending his back over the fleecy staple, will rise up and ask the question, "Are you playing fair? You told us you were going to legislate so that we could borrow money. You told us that you were going to give us Government ownership; you told us that you were going to decrease freight rates and improve our condition, and in the meanwhile you have gone on and taxed us more and more, and you have eaten up our substance, and I have just found out the whole thing is a fraud." And woe betide the man or the party detected by the enraged and aroused public. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. COLLIER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 9584. An act to authorize the Secretary of the Treasury of the United States to sell the present old post office and site thereof in the city of Jersey City, N. J.;

H. R. 16896. An act for the relief of Col. Richard H. Wilson, United States Army; and

H. R. 18783. An act to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bill of the following title:

S. 2334. An act for the relief of S. W. Langhorne and the legal representatives of H. G. Howell.

The message also announced that the President had approved and signed bills of the following titles:

On February 5, 1915:

S. 5614. An act for the improvement of the foreign service.

On February 6, 1915:

S. 6839. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Birthplace of George Washington, Wakefield, Va.: For repairs to fences and cleaning up and maintaining grounds about the monument, \$100.

Mr. POWERS. Mr. Chairman, I move to strike out the last word. I ask unanimous consent, Mr. Chairman, to continue for 10 minutes.

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

Mr. FITZGERALD. What about?

Mr. POWERS. It is on a matter pertaining to my district.

Mr. FITZGERALD. I will ask the gentleman to wait a little while until we get further on in the bill.

Mr. POWERS. I would like to proceed now.

Mr. FITZGERALD. If the gentleman will wait a little while I will not object.

Mr. POWERS. I will wait then, as the chairman suggests.

The CHAIRMAN. The pro forma amendment will be considered as withdrawn.

The Clerk read as follows:

The appropriation of \$5,000 made in the sundry civil act approved August 1, 1914, for unveiling and dedicating the memorial to Gen. Ulysses S. Grant, and for each and every purpose connected therewith, including erecting and taking down viewing stands and putting the grounds in slightly condition, is hereby made available for said purposes during the fiscal year 1916.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What is the latest information about when the Grant Memorial will be finished?

Mr. FITZGERALD. Col. Harts stated to the committee that the time for the completion of the memorial had been extended to the 1st of August, 1915. It is very doubtful, however, if it will be completed at that time. Mr. Shady at work on it is in a poor physical condition. The general plan has been going on for 11 years. The Artillery group, which is in position, is completed. The Infantry group, which is to occupy a corresponding place on the other pedestal, has been designed but not cast.

It has been made in a design, and one-quarter size has been made, and they are now working on the full-size design. In addition, the statue of Gen. Grant has not yet been commenced, and there are two tablets that have not yet been commenced.

The Artillery group, which is familiar to the Members who have examined it, is one of the very striking and fine pieces of sculpture in the city, and Col. Harts says the Cavalry group will be equally fine. While the work has taken more time than was estimated, yet when finished it will be one of the most striking and artistic monuments in the city of Washington. So by request this appropriation is continued, although probably it will not be used in the next year.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Arlington Memorial Amphitheater: For continuing the construction, under the direction of a commission consisting of the Secretary of War, the Secretary of the Navy, and Superintendent of the United States Capitol Building and Grounds, Ivory G. Kimball, representing the Grand Army of the Republic, the commander of Camp 171, United Confederate Veterans of the District of Columbia, and Charles W. Newton, representing the United Spanish War Veterans, of a memorial amphitheater, including a chapel, at the National Cemetery at Arlington Va., and in accordance with the plans of Carrere & Hastings, architects, of New York City, adopted by the commission heretofore appointed, to be immediately available and to remain available until expended, \$400,000.

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

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN. First, Mr. Chairman, may I ask what is the necessity for reciting this commission in this bill? Why is it not sufficient simply to make this appropriation for continuing the construction? The commission is already authorized. What is the object of repeating it here? And, second, what is the reason for adding to the commission, without naming him, the commander of Camp No. 171, United Confederate Veterans of the District of Columbia? What object is there in having that official, unnamed, on this commission?

Mr. FITZGERALD. A number of Confederate soldiers are buried in Arlington, and the Confederate camp in Washington presented a petition to the Committee on Public Buildings and Grounds, requesting that the commander of this camp be added to the commission. The Committee on Public Buildings and Grounds made some inquiries and ascertained that there was no objection, that it would be perfectly satisfactory to the members of the Grand Army of the Republic. The Committee on Appropriations, at the formal request of the Committee on Public Buildings and Grounds, made provision so that the commander of this camp of Confederates in Washington might be added, the belief being that these little acknowledgments of the fact that the spirit of controversy had died out continually helps to cement the better feeling now existing among the survivors of that great contest.

Mr. MANN. This commission is now in existence. It has adopted certain plans. The work is under construction. For aught I know at least the adding of some gentleman, however good he may be, to this commission may upset all the plans they have. Here is a commission now consisting of five persons, I believe.

Mr. FITZGERALD. It would not embarrass them.

Mr. MANN. A commission consisting of the Secretary of War, the Secretary of the Navy, the Superintendent of the Capitol Building and Grounds, Mr. Kimball, and Mr. Newton. Now, it is proposed to add another one, name unknown.

Mr. FITZGERALD. Well, the statement was made that the plans had been adopted and approved unanimously, to my recollection, and the addition of one other person would not make any difference. It was thought that it would be gracious to have a representative of the Confederate Veterans on the commission. They desired it particularly, and the committee thought it would be a nice thing to acquiesce in that proposition.

Mr. MANN. Well, it seems to me to be rather an impertinent thing to do. I do not know that I shall object to it; but here is a commission created and in existence, and no one would probably have objected in the first instance to naming a man from the United Confederate Veterans on the commission. But it is in existence and running along, and no question of sectionalism has entered into it, and somewhere, somebody, probably with hatred in his heart, has proposed to add somebody else to it, which introduces sectionalism in itself. It is not designed, the gentleman from New York [Mr. FITZGERALD] says, to make any difference; it is not to have any effect. Then what do they want it for? If it does have any effect it ought not to go in, and if it does not have any effect it is ungracious on their part to suggest it.

Mr. MADDEN. Mr. Chairman, I make a point of order on it.

Mr. GREENE of Massachusetts. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] makes the point of order on the paragraph. The Chair will hear the gentleman from New York [Mr. FITZGERALD] on it.

Mr. FITZGERALD. Mr. Chairman, the addition of this gentleman will not in any way affect the work. There are several thousand soldiers buried in Arlington Cemetery. A monument has recently been erected there to perpetuate their memory. The spirit of antagonism and division which for years existed between the survivors of those engaged in this conflict has gradually been eliminated. In their closing years they have come together in a kindly and friendly spirit in the patriotic support and love of their common country, and at the request of this camp, that a representative of the Confederate veterans might be included on the commission, the Committee on Appropriations thought it was one of those gracious acts which, if done by the Congress, would tend very much to promote that fraternal and friendly spirit that is so desirable. The war, with its rancors and bitterness, has passed. A great reunion a short time ago at Gettysburg of the survivors of the two contending armies has undoubtedly done much to remove the rancor and misunderstanding, and I hope the gentleman from Illinois will not press his point of order.

Mr. MADDEN. I insist on the point of order. It is a change of existing law. The words on line 1 of page 71, after the word "Republic," down to and including the word "Columbia," on line 3, reading, "The commander of Camp 171, United Confederate Veterans of the District of Columbia," are new law, and I make a point of order to that language.

Mr. SISSON. Mr. Chairman, will the gentleman withhold his point of order?

Mr. FITZGERALD. Will the gentleman from Illinois withhold it until a member of the Committee on Public Buildings and Grounds, at whose request the provision was inserted, may make a statement? He is present.

Mr. MADDEN. Very well.

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

Mr. SISSON. Mr. Chairman, I want to thank the gentleman from Illinois [Mr. MADDEN] for his indulgence in withholding the point of order. Nor do I believe I could add one word to what has been said by the chairman of the committee, Mr. FITZGERALD, and by the gentleman from Alabama [Mr. BURNETT] as to the reason why this item should remain in the bill; but I should like to have the attention of the gentleman from Illinois [Mr. MADDEN], who made the point of order, so that he may listen to an appeal from a Member of this House who is the son of a Confederate soldier, one who has in his heart no spirit of bitterness or feeling because of that great struggle which ended half a century ago. I have on many occasions addressed the Union soldiers, and on one occasion up in the gentleman's own State I had the honor of addressing a body of Union soldiers, perhaps 800 or 1,000 of them. And it was my pleasure to carry to them a message of peace and good will.

Now, this provision will not cost the Government a penny. This added Confederate commissioner will not cost the Treasury one cent, but serves for nothing. This was placed in the bill not only at the instance of the Confederate camp here in Washington but also of the Union veterans, who requested that this Confederate commissioner be added. The representatives of both these organizations have united in this request. The committee of the House who have charge of public buildings and grounds have seen fit and proper to recommend this item. Not only the Subcommittee on Appropriations, but the full Committee on Appropriations, have recommended it to the House. If the gentleman will withdraw his point of order and permit the membership of the House to vote upon the proposition, I feel that we may safely leave the item to that side of the aisle. I have yet to find a brave private soldier who fought in the Union Army and wore the blue who has any bitterness in his heart toward his brave adversaries on the other side. If the Union veterans themselves are willing to request that this be done, will not the gentleman from Illinois withdraw his point of order and permit the membership of the House to vote upon the item? It is not so important a matter that it should even be suggested that the Rules Committee bring in a special rule.

The Committee on Public Buildings and Grounds and the Committee on Appropriations did not suppose that there would be any point of order or objection to it, because, if there is to be objection to this item, then we have done harm and not good by putting it in here. We want to do good. Those of us who live in the South want this Union to be cemented not only by law, but cemented by love. I want to have it so that wherever I may go in the Union I may feel not only that I have all the rights and privileges under the law that any other citizens have,

but that I have in the hearts of those to whom I go the same feeling that we would accord to you.

Next to the last speech that the great McKinley ever made in this world was made at Memphis, Tenn., to the Confederate Veterans' Association. It was there that the great martyred President said, in the presence of the Confederate Veterans' Association wearing the gray uniform and speaking with tears of love in his eyes as he talked to them, that it would be his ambition as President of all the people to see all the Confederate cemeteries taken over, with the permission of the people who were now controlling them, and have the great Government of the United States mark each Confederate soldier's grave with a little slab, just as the graves of the Union soldiers are marked. The Confederate veterans gave him a reception at Memphis, and there was never anything of the kind more beautiful. And what a beautiful recollection all of those people have of the great President. When he left Memphis he came by Washington, and a few days after that the news was flashed over the wires from Buffalo that President McKinley had been assassinated. And in every single town and village in the South of any size there were emblems of mourning displayed, and the Confederate Veterans' Associations were foremost in making that display of mourning, because Maj. McKinley was loved and revered by the Confederate soldiers, and many a Confederate soldier's face was wet with tears as they discussed in their memorial meetings mourning his loss.

The CHAIRMAN. The time of the gentleman has expired.

Mr. Sisson. I ask the indulgence of the committee for two minutes more.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. Sisson. It was an act like that, coupled with the action of the great veterans' association that had the reunion at Gettysburg of the Confederate and Union veterans, that has caused so much of the sectional bitterness to be eliminated, until now we can say in truth and in fact that the country is united in heart. Let us not permit this little item to show that there is still some feeling of bitterness or sectionalism in one single heart in this House. I do not believe it would come from the heart of a brave Union soldier to make that point. This provision will cost nothing, and I believe it will result in much good to permit this item to remain, a simple recognition of the fact that Confederate veterans are buried in that cemetery; and when this auditorium is dedicated and when a ceremony takes place in that sacred spot all, both from North and South, may go and participate and do honor to the brave men who saved the Nation and do honor to those brave adversaries who fought for what they believed to be right, foes worthy of the great chivalry of the great Union soldiers. Let this auditorium be and symbolize in real truth a reunited country. Let it be a place where every Confederate soldier, their sons, and daughters may assemble with every Union soldier and their sons and daughters and do honor to their sacred dead. Let them have a place where the blue and the gray can always meet, for it will be only a few years when there will be no answer to the bugle call by either side.

Both of these great Armies will have crossed over the river and will be resting under the shade of the trees. Let the Union soldier know in his dying years that he has lived to see in truth and in fact the thing nearest his heart—a reunited country—the greatest consummation of that wish of his as a soldier in the ranks. Let him learn and know that we are politically united, united in heart, united in hand, and let no discordant vote on a little item like this be heard in this Hall. [Applause.]

Mr. Goulden. Mr. Chairman, as a Union veteran and as a member of the legislative committee of the Grand Army of the Republic, the committee on legislation, of which I was chairman last year and am now second on the same, I desire most heartily to approve of this section to place on the commission the commander of the United Confederate Veterans' camp of this city, to indorse most cordially what has been so ably, eloquently, and patriotically said by the chairman of the committee, Mr. Fitzgerald, by the gentleman from Alabama [Mr. Burnett], as well as the gentleman from Mississippi [Mr. Sisson], and to say that I think this ought to prevail by a unanimous vote. I hope my good friend from Illinois [Mr. Madden], who is always fair, and in whose heart beats the strongest impulses of true American patriotism, will withdraw his objection and let it become a law.

I want to say in answer to the distinguished gentleman from Alabama that there are no two sides to this question, no two parties to-day in citizenship nor in love of our common country.

We are all marching shoulder to shoulder, whether we live in the South or in the North—marching with the touch of elbows to the music of progress and the good of all sections under that starry old banner we all love and of which we are so justly proud. I trust that this will become a law and that my good friend from Illinois will withdraw his objection to it in the interest of harmony, good will, and brotherly love. [Applause.]

Mr. Monnell. Mr. Chairman, I hope the gentleman from Illinois will not insist on the point of order. I want to say to him that this item would not have been in the bill if the minority members on the subcommittee or on the committee had raised any objection to it. It did not occur to us that there would be any objection made anywhere. Had we believed that there was any probability of a point of order being raised we would have suggested that the item be left off the bill, because, while we hoped and believed that the insertion of this provision in the bill would be helpful, we realized that it might have an opposite effect if there were any objection made to it.

I want to remind my friend from Illinois of the fact, as I understand it, and as the gentleman from Alabama has suggested, that this memorial is one to the heroism of the women of the Nation during the Civil War. I do not recall the language of the bill, but I am sure that no one has any disposition, or would have any disposition, not to accord as much of praise and honor to the heroism of the women of the South during that great struggle as to the heroism of the women of the North. The women of the southern section, of the two, suffered the most. While it is true that the addition of this representative of the Confederate veterans to the commission will not in any wise affect the plans or the procedure in letting the contract in executing the work, we felt that it was a gracious recognition of the conditions of a reunited country and of the fact that in this cemetery at Arlington rest the remains of a large number of Confederate veterans, and that the monument was a monument to the splendid devotion of all the women of the country during the dark days of the Civil War. [Applause.]

Mr. Austin. Mr. Chairman, this proposition was originally before the Committee on Public Buildings and Grounds. My colleague from Kentucky [Mr. Langley], a Republican member of that committee, made the motion to direct a favorable report to be made on the bill providing for an additional member of this commission. I introduced the original bill in the House providing for an appropriation of \$750,000 for the construction of the Arlington memorial amphitheater, and it was prepared by Grand Army men and delivered to me by Judge Kimball, a member of the commission.

I am sure had it occurred at that time to the Grand Army men they would have inserted in the bill the name of a representative of the Confederate veterans. This item we are considering does not provide for an appropriation, and we have proceeded with the work where the contract has been let, and the work will begin at an early day.

As has been stated by all of the speakers, there are a large number of ex-Confederate soldiers buried in Arlington Cemetery, and last summer a Confederate monument was completed and dedicated in the cemetery. In addition to the Confederate soldiers who rest at Arlington, the men brought back from Habana Harbor, drowned on the battleship *Maine*, are buried there. In addition to those men who served in the Navy in the Spanish-American War there are a large number of Spanish-American soldiers in the Army, either in the Regular or the Volunteer Army, who served in that war, buried in Arlington.

Gen. Joe Wheeler, a distinguished Member of this House for many years, is buried in the Arlington Cemetery. In the list of former soldiers in the Spanish-American War sleeping in Arlington are many sons of ex-Union and ex-Confederate soldiers. Decoration services which take place in the cemetery are not only for Union soldiers, but also for the Spanish-American soldiers and for Confederate soldiers, and on the completion of this amphitheater it will be used by the people every year to pay fitting tribute to the soldiers who served in the various wars and on both sides during the Civil War. So it is quite appropriate that the Confederate veterans should have a representative on this commission. When this matter was brought to the attention of the House and this discussion begun, I was in the act of reading a patriotic speech delivered 14 years ago on the 27th of January by the late Hon. William Richardson, of Alabama. It was a speech in which he favored an appropriation of \$250,000 for the beginning of the construction of a home for the ex-Union or Federal and ex-Spanish-American soldiers in the South, near Johnson City, Tenn.—a speech made by an ex-Confederate soldier, and in which he said that since the close of the Civil War he had always favored just and fair pensions for those who defended the Union, and that it gave him great pleasure, as a Member of the House and as an ex-Confederate

soldier, to vote to establish a home that would care for and protect old ex-Union soldiers in their declining years. He expressed a regret that the bill did not carry an appropriation for twice the amount mentioned. So I appeal to my Republican colleagues to join the Republicans on the Committee on Public Buildings and Grounds in asking that this provision be inserted in the sundry civil appropriation bill.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not know that anything that I may say on this subject will go far toward inducing the gentleman from Illinois [Mr. MADDEN] not to make the point of order, but I do wish to express the hope that he will not insist upon it. As the gentleman from Mississippi [Mr. Sisson] says, the Union veterans in the District of Columbia have no objection to the incorporation of this provision in the bill. The Committee on Appropriations unanimously inserted it in the bill, but did not do so until the Committee on Public Buildings and Grounds, by unanimous action, requested that it be done. I have no doubt but that if the proposition had been made when the bill authorizing the erection of the building at Arlington was passed by Congress to have this provision incorporated in that bill, there would have been not the slightest objection on either side of the aisle. It is but a few months ago that we all listened to an eloquent address by the gentleman from Pennsylvania [Mr. GRAHAM] appealing to all sections of the country for a reunited country, and I am sure that his appeal touched the heart and mind of every man on either side of the aisle.

I thank God that the bitterness which was engendered by the Civil War has completely passed away; that the blue and the gray, grand old heroes of a great war, and in whose bravery, shown on a hundred battle fields, we all take a common pride, now meet in friendly reunion, each paying generous tribute to the valor and devotion to duty of the other during those years of civil strife. We all love the same flag and bear loyal allegiance to a common country. And let me say to my brethren of the North that the flag has no more devoted adherents and none who would more willingly brave shot and shell in its defense than those same soldiers who, in the dark days of 1861 to 1865, so bravely followed the great Robert E. Lee in defense of principles which they believed to be right. But that issue, Mr. Chairman, was settled as a result of the war, and there is no one in the South who would seek to question, if he could, the wisdom with which it was settled. The verdict of the war was accepted without rancor or complaint, and the South, suffering no humiliation from an honorable defeat, turned its attention to restoring its ruined homes and building up its great industries. So well have they succeeded that there is to-day no happier, more prosperous, law-abiding, and patriotic citizenship in this great Union than is to be found in the Southland. Go where you will in the South, and the war is remembered only because its history tells us not only of the courage and self-sacrificing devotion to duty of our own fathers and kindred who wore the gray, but also of the courage and chivalry of their adversaries who wore the blue—all Americans and all now, thank God, co-partners in all the blessings of liberty and opportunity which is guaranteed by our flag.

There is no sectional feeling in the South, Mr. Chairman, and we are happy to know that there is no such feeling either in the North, East, or West. This could not have been more strongly emphasized than by the excellent speech made a few moments ago by the distinguished gentleman from New York [Mr. GOULDEN], who as a mere boy gave the Union splendid and highly creditable service in the terrific struggle at Gettysburg and other places, and who is now rendering the people of his State and the Nation important and valuable service in this House.

Congress has determined to build an amphitheater at Arlington, which will not only serve as a monument to the brave dead buried there, but also as a place where Decoration Day and other exercises may be held in honor of both the blue and the gray who sleep there. By oversight, I am quite sure, when the bill authorizing the building was passed the commander of the Confederate veterans here in the District of Columbia was not named as one of the commission having in charge the erection of the building. The name of the commander of the Union veterans was included, and this provision simply seeks to cure the omission.

This provision does not cost one cent. It will not add one dollar to the cost of the building at Arlington. It does not change the plan in any way, but it is a recognition of a great number of citizens, a loyal number of citizens throughout the South, and, indeed, in every section of our great country. Confederate veterans are interred at Arlington as well as those who belonged to the Federal Army, and it seems to me it is nothing but a fair recognition, a liberal and a generous recognition, of

these men who fought under the gray, and who have since that time been loyal, patriotic, earnest citizens of this great country. I do hope that the gentleman from Illinois, liberal and generous as he always is, patriotic, as we all know him to be, will not see fit to insist upon the point of order. [Applause.]

Mr. MADDEN. Mr. Chairman, it has always been my hope that I might live to see every particle of bitterness engendered by the Civil War obliterated, and I still hope and pray that that day may come, if it has not already come. Surely nothing that I could do would be done with the intention of continuing any bitterness between the sections of the country, for I believe that every patriotic citizen in America should devote every energy within him to bringing harmony and peace and love into the heart and mind of every citizen in the Union. There can be no reason why this attitude should not be assumed by men of the North and men of the South, and I am glad to know that there is a growing tendency toward greater harmony between the men who fought on the side of the South and those who fought on the side of the North. We are living in a single nation, and of course we should be a single citizenship. There ought not to be any discrimination anywhere against any man, whether he be from the North or from the South. Every man in the land should be accorded the same rights, and if everybody in the country would devote himself to the establishment of a policy which would result in granting every man the same rights there would be no longer any reason for bitterness of feeling or of sectionalism. I certainly would be the last man in this House to do a thing which would continue bitterness or strife between citizens of America. On the contrary, my life has been devoted to producing harmony of thought, producing a higher degree of patriotism, to the up-building of a more united feeling of friendship among the citizens of our common country. My only objection to the language in the paragraph under consideration was that it was legislation on an appropriation bill. I made no objection to the language because of the fact that it provided for a commander of Camp 171 of the United Confederate Veterans of the District of Columbia being made a member of the commission. That was the last thing that entered my mind, and if leaving the language in the bill will produce that harmony and that feeling of brotherly love and that sense of justice which the gentlemen who have so eloquently spoken believe it will, I gladly withdraw the point of order. [Applause.]

The Clerk read as follows:

Improving harbor at Marquette, Mich.: For continuing improvement in completion of contract authorization, \$100,000.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BURNETT. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BRYAN. Mr. Chairman, I move to strike out the last word. I am not going to object to this appropriation, but I am going to direct the attention of the House to the fact that we have during the history of this country expended a tremendous amount of money to aid navigation in various ways. We have dragged the bottoms for pinnacle rocks, we have sounded the streams, charted the coasts, established buoys, signals, and light-houses, provided the Revenue-Cutter Service to enforce the law and patrol the sea. Through the Navigation Bureau we have inspected the boilers and the hulls and licensed the mates, the pilots, and the engineers; our ships of war we have sent out to protect the privately owned vessels of commerce; the brave men of our Life-Saving Service are ever ready to succor them when in distress; our ocean tugs are out to sea, to tow them into harbor in time of storm; we dredge the harbors, so they may berth in safety; we guarantee to them the protection of the entire force and strength of the Navy, and our own lifeblood as well, as they carry the flag into foreign ports and on the high seas of the earth. For all these services out of the taxes taken from the buyers of clothes and sugar and the necessities of life through customs we have not demanded a cent of return. Under various mail contracts and subventions we have even paid these shipowners vast sums in cash.

The people have borne these sacrifices cheerfully. They poured their treasure into the laps of the shipowners and they protected them with liberal laws without murmur. They took their satisfaction from the thought that the Stars and Stripes were thus made to fly in foreign ports and carry a message of democracy to the ends of the earth; they felt secure in the thought that in time of war the American troops could find transports to convey them to their posts in Alaska, the islands of the Pacific, or elsewhere in the Western Hemisphere where

they might be needed, and then the producers of cotton and the producers of wheat and the manufacturers and the laborers said, "We must have vessels in which to export our products; we can not depend on foreign vessels in time of emergency," and so we gave of our revenues with a lavish hand, and then we keystoneed the arch with the grandest achievement of man, the job that the foreign builders had rejected, after interminable digging in the rubbish and debris of decade after decade—we took up and accomplished and presented to the private ship-owners, we had encouraged so long, the Panama Canal.

Last July the European war broke out, the emergency against which we had provided arose in mild form, comparatively speaking, and we turned to the shipowners, to find we had been basely betrayed. I will not dwell on the dark chapters that detail that betrayal.

The question arose when the war broke out as to how we were going to protect our own commerce, what we were going to do in the way of caring for our people by bringing them home from Europe, and providing means of carrying our surplus supplies to the ports of the world. Our workers were confronted with idleness and starvation, our farmers with ruin. Soon after the war began an attempt was made to remedy the existing difficulty. A sop was thrown to those who demanded an accounting. It was recognized by all sides that there were great and serious difficulties. A great statesman from New England, who was taught in the school of Cannon, who was sired in his public service as an Aldrich regular, introduced a bill and sent it over to this House to remedy that trouble. That remedy provided for the Government itself to go into the freight, passenger, and mail business. The people cheered its author and talked of him for President. The bill was passed in the Senate unanimously. It provided for the Government of the United States to take its Navy vessels, its transports, with the guns of the Navy upon their prows and the flag of the United States over all and with the officers of the Navy in uniform in command, to carry cotton and wheat and the products of this country to the foreign ports of Europe and to South America, these vessels to run in competition with the ordinary shipping trade and the steamships that might be owned by private enterprise. Brave, courageous men they were. A man of the hour, with the remedy at hand. No Shipping Trust could bluff. Government ownership and operation was declared to be the only remedy in the emergency, and the proponents of that bill were for it. It passed the Senate unanimously and was sent over to this House—the Weeks bill. During the debate it was suggested that war had already broken out, the trouble already existed, and that and defects in the measure could be remedied upon further consideration by the House.

Later the administration took up the fundamental principle of the Weeks bill, but being an administration of peace and not being willing to send the Navy to Europe with supplies, knowing such a course would be dangerous and silly and unwise, and also knowing the proposition was an economic absurdity, because naval transports are not only in need in the Navy but are not built to do the work of merchant ships, and that the attempt to carry freight on them would result in great economic loss, the administration, following the precedent of the Panama Railroad steamships, proposed an effective, workable ship-purchase bill, one that would do two things, first, keep us out of unnecessary complications as a Government with the warring nations, and, second, put us into the shipping trade on terms that are fair and sensible from a business standpoint.

Mr. Chairman, the time and the opportunity is now before the Members of Congress to take up that Weeks bill and remedy the difficulties in it, an opportunity of making it so that there is no danger of war, an opportunity of taking the naval officers off of these vessels, an opportunity of taking the guns off the vessels. That opportunity is given this House as an act of honorable statesmanship, or if the sense of public duty does not force nonpartisan action, if it be a party measure, then the opportunity is to the Democratic Party in this House to take up the Weeks bill now pending and make it a peaceful and practical measure, make it a measure that will really accomplish something that will be worth while. The gentlemen who gave us this measure and stand for it—I suppose they still stand for it—say we will get into trouble with foreign nations if we establish such a merchant marine as the administration proposed and as is involved in the Alexander bill; but they were not afraid a little while ago to send a transport of the United States Navy abroad and carry the commerce of the United States, and they were willing to have naval transports go into foreign ports at war not as a national of this country, but carrying with it the very sovereignty of this country.

The principle of Government ownership and operation that was recognized in the Weeks bill is bound to be adopted. The only difference is that it is a "phony" bill so far as efficiency

in an economic sense is concerned. No Shipping Trust worried about it. "Are we not all friends?"

Let us accept the Weeks bill in principle and make it effective, so it will go into the real trade of the country and will affect the ships that carry the trade, so it will force lower rates and really be the means of providing an American merchant marine that the people will gladly support with their taxes. They were not afraid of those awful complications when they passed the Weeks bill, because the economic side for the Shipping Trust was protected. They knew these naval vessels would not effectively compete with privately owned vessels because they were not of the right type; they were not built to do that kind of work; but now, when there comes an opportunity for American-owned merchant vessels that can compete with privately owned vessels to carry the commerce of the United States into the ports of the world safely and without substantial danger, they are afraid of war. They were not afraid of war when the economic question was protected for the Shipping Trust, but they are afraid when the economic question is exposed. Verily did the prophet speak when he said, "The love of money is a root of all evil."

The Clerk read as follows:

Improving Hudson River, N. Y.: For continuing improvement in completion of contract authorization, \$410,000.

Mr. POWERS. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that he may be allowed to proceed for 10 minutes. Is there objection?

Mr. PLATT. Mr. Chairman, reserving the right to object. I want to know if the gentleman is going to speak about the glories of the Hudson River, because I am interested in that myself.

Mr. POWERS. No; I shall not talk about the glories of the Hudson, although it has a great many to its credit.

Mr. PLATT. Then the gentleman is not going to infringe upon my province?

Mr. POWERS. No.

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

Mr. POWERS. Mr. Chairman, a few days ago when the immigration bill was before this House, an attempt was made to pass it over the veto of the President. During the discussion of that measure the gentleman from Minnesota [Mr. MANAHAN] in the course of his remarks made this statement:

There is not a laboring man in the United States who will not agree with me that the trouble with labor is not in the number of competitors, but in the selfish greed of big business that takes from him the fruits of his toil.

He made other statements along that line, and I asked him this question:

What laws would the gentleman suggest that would bring this opportunity, this panacea, to the laboring man? We would like something specific on that score.

In reply Mr. MANAHAN said:

That is a very simple proposition, and I am surprised that the gentleman from Kentucky would ask a question so elementary; yet I ought not to say that I am surprised when I consider that he comes from a constituency where something in the neighborhood of 30 per cent of the people are illiterate.

After Mr. MANAHAN had concluded his remarks I stated to him that later in the day I would, when an opportunity presented itself, answer the charge of illiteracy which he had made against my constituency. I did that. I pointed out that the statement was unfounded in truth and in fact; that instead of having an illiteracy of 30 per cent it was less than 20 per cent. Mr. MANAHAN was present and made a brief reply to my statement and I thought that the incident had closed. The CONGRESSIONAL RECORD of the following day contained Mr. MANAHAN'S speech in full, together with the little colloquy that he and I had had, and I was sure it was over. In a day or two following that my attention was called to the fact that another issue of the CONGRESSIONAL RECORD contained an extension of remarks on the part of Mr. MANAHAN, in which he made a vicious assault upon the constituents I have the honor to represent. Among other things, he said this:

It will be conceded, I think, that the gentleman's district is in bad shape intellectually, and as it is a part of the United States geographically—

Implying thereby that it was not a part of it morally, intellectually, or otherwise—

I feel at liberty to suggest two remedies. I suggest that the gentleman from Kentucky ask unanimous consent to print as a public document the alphabet, the first reader, and the multiplication table, so that he can, under his frank, send them to the illiterate voters whom he has the honor to represent.

I desire to say that if ever I get ready to make a vicious assault, either upon the gentleman from Minnesota or his constituents, I shall do it upon the floor of this House, and if possible in the presence of the gentleman and not under leave to print. I notified him that on this afternoon I expected to make a reply to his extension of remarks in the RECORD. What I say I would like to say in his presence. I shall not pursue what I was about to say was a cowardly course and attack the gentleman or his constituents under a leave to print; but I will not use the word cowardly as applied to his conduct because I do not desire to be unparliamentary and that would be unparliamentary.

I have never at any time in a speech here attacked the motives of any Member of this House in any position he has taken on any question before this body, or upon any vote he has seen fit to cast. The man who indulges in it, in my judgment, is indulging in a little business. It sometimes happens here, and some of it has been going on recently in another body at the other end of this building. I deplore it. It comes in bad grace. In the private walks of life if one gentleman attacks the motives of another without justification his conduct justly is characterized as that of a coward. I submit that the proprieties, the amenities, the courtesies, the dignity of this body, demand of its Members the practice of at least as many of the ordinary virtues and civilities in their conduct one toward another as are practiced by the average citizen in the ordinary walks of life. If we hear a street urchin or some one from the underworld pouring forth his billingsgate and applying opprobrious epithets to some one who has displeased him, his outgivings throw no light upon the character of the man whom he assails, but they do throw a flood of light upon the individual making the assertions. That is as certainly true in this body as it is elsewhere.

Nor have I ever assailed any section of this great country by reason of its illiteracy or for any other of its shortcomings. I hope I never may. As an American citizen I would despise myself if I should pursue that sort of conduct. I would hate myself if I were to take pride in parading before the public gaze the shortcomings of the people of the State of Minnesota or the people of any other section of this great country.

The gentleman says that I ought to print in the form of a public document the alphabet, the first reader, and the multiplication table and send them down to my illiterate constituents under my frank. The advice of a man who exhibits such poor taste and judgment, as the gentleman from Minnesota has exhibited in characterizing my constituents as being illiterate, could not be safely followed by any decent, self-respecting American. And I want to say to him, and I want him to know, that there are men down in my district who, though they can not read a word or write a line in any language or dialect, if sent as Representatives here would father safer and saner legislation than any that has emanated, or ever will emanate, from the diseased and disordered brain of the windy gentleman hailing from the blizzards and snowdrifts of Minnesota. [Laughter.]

The gentleman casts the obloquy of illiteracy upon my district, and intimates that but for that I would not be here as a Member. There is at least one important difference between the gentleman's constituents and mine, and that is this: Mine know enough to elect me to office. His know too much to elect him. [Laughter.] In the recent primary down in my district I beat my Republican opponent nearly 10,000 majority. I carried 14 out of the 15 counties. I beat him nearly 5 to 1. I won by about 10,000 majority in the final election and carried all the counties. I am informed that in a primary election held not long since out in the State of Minnesota the gentleman was a candidate for the Republican nomination for attorney general out in that State and was beaten by a majority of nearly 2 to 1. His is a wise constituency. [Applause and laughter.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MEDICAL DEPARTMENT.

Artificial limbs: For furnishing artificial limbs and apparatus, or commutation therefor, and necessary transportation, \$95,000.

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

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out the last word.

Mr. MANN. There is such a notable reduction in the appropriation for this purpose that I would like to know the cause of it. The appropriation for furnishing artificial limbs and apparatus to disabled volunteer soldiers is so small that it attracts attention.

Mr. FITZGERALD. This is the off year. Every third year the appropriation is large, and the second year it is smaller,

and the third year it is smaller still. Every third year is the large appropriation, and the two succeeding years fall off.

Mr. MANN. That is, we furnish an artificial limb every three years, and most of them come in one year?

Mr. FITZGERALD. Yes. This is what they call a low year. In 1913 the appropriation was \$275,000. In 1914 it was \$85,000.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Support and medical treatment of destitute patients: For the support and medical treatment of medical and surgical patients who are destitute, in the city of Washington, under a contract to be made with the Providence Hospital by the Surgeon General of the Army, \$19,000, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. SISSON. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. SISSON. The point of order is made upon the ground that there is not only no law authorizing the appropriation, but it is in violation of a positive statute controlling the District of Columbia appropriation.

Mr. FITZGERALD. I think not, Mr. Chairman. The appropriation is authorized under the act approved July 27, 1868, which provides—

For the completion of the Providence Hospital in Washington City, D. C., \$30,000: *Provided*, That all expenditures for said Providence Hospital under appropriations by Congress shall be made under the direction and control of the Surgeon General of the Army, whose duty it shall be to report at the December session of every Congress a full and complete statement of all expenses incurred under and by virtue of appropriations made by Congress.

That is the act under which Congress appropriates for the support and treatment of medical and surgical patients under a contract with the Surgeon General.

The CHAIRMAN. The Chair would like to see that statute which was read by the gentleman.

Mr. SISSON. I have sent for it now. I did not know that the point of order would be resisted.

Mr. Chairman, the statute to which I refer is a part of a District appropriation bill passed some years ago. It provides that it shall be against the policy of the Government and unlawful to make any appropriation of money or anything of value, or of any gratuity out of the Federal Treasury to any institution under sectarian or denominational control. I had the act here on another occasion, and called the attention of another chairman to it, and if I had known that there would be any controversy about it I would have had it here. I have sent for it.

The CHAIRMAN. The Chair would like to see the statute before he rules on the point of order. If the gentleman has not the statute before him, the Chair would suggest that the item be passed over.

Mr. FITZGERALD. We will have it here in a moment.

Mr. SISSON. The provision to which I refer reads as follows:

And it is hereby declared to be the policy of the Government of the United States to make no appropriation of money or property for the purpose of founding, maintaining, or aiding by payment for services, expenses, or otherwise, any church or religious denomination or any institution or society which is under sectarian or ecclesiastical control; and it is hereby enacted that, from and after the 30th day of June, 1898, no money appropriated for charitable purposes in the District of Columbia shall be paid to any church or religious denomination or to any institution or society which is under sectarian or ecclesiastical control.

It is that positive statute which is in contravention of this item of appropriation. For that reason I make the point of order.

Mr. FITZGERALD. Mr. Chairman, there is nothing before this committee to show that Providence Hospital is under any church or sectarian control. I have before me the act to incorporate the Providence Hospital of the city of Washington. It provides:

Be it enacted, etc., That Lucy Gwynn, Teresa Angela Costello, Sarah McDonald, Mary E. Spalding, and Mary Carroll, and their successors in office, are hereby made, declared, and constituted a corporation and body politic, in law and in fact, under the name and style of the directors of Providence Hospital, and by that name they shall be and are hereby made capable in law to sue and be sued, to plead and be impleaded, in any court within the county of Washington, in the District of Columbia; to have and use a common seal, and to alter or amend the same at pleasure; to have, purchase, receive, possess, and enjoy any estate in lands, tenements, annuities, goods, chattels, moneys, or effects, and to grant, devise, or dispose of the same in such manner as they may deem most for the interest of the hospital: *Provided*, That the real estate held by said corporation shall not exceed in value the sum of \$150,000.

Sec. 2. And be it further enacted, That the said corporation and body politic shall have full power to appoint from their own body a president and such other officers as they may deem necessary for the purposes of their creation; and in case of the death, resignation, or refusal to serve of any of their number, the remaining members shall elect and appoint other persons in lieu of those whose places may

have been vacated; and the said corporation shall have full power and all the rights of opening and keeping a hospital in the city of Washington for the care of such sick and invalid persons as may place themselves under the treatment and care of the said corporation.

SEC. 3. *And be it further enacted*, That the said corporation shall also have and enjoy full power and authority to make such by-laws, rules, and regulations, as may be necessary for the general accomplishment of the objects of said hospital: *Provided*, That they be not inconsistent with the laws in force in the District of Columbia: *And provided further*, That this act shall be liable to be amended, altered, or repealed at the pleasure of Congress.

Approved April 8, 1864.

That is the act incorporating Providence Hospital. There is nothing in it that puts it under the charge of any ecclesiastic or makes it sectarian in any way. There is nothing to indicate that it is. The mere statement of the gentleman that it is an appropriation for an institution of this character contrary to law certainly is not sufficient to sustain the point of order.

Mr. SHERLEY. If the gentleman will permit, there is another matter that should be considered in this connection. The language to which the gentleman from Mississippi has referred, and which he thinks makes this appropriation subject to the point of order, reads:

And it is hereby declared to be the policy of the Government of the United States to make no appropriation of money or property for the purpose of founding, maintaining, or aiding, by payment for services, expenses, or otherwise, any church or religious denomination, or any institution or society which is under sectarian or ecclesiastical control.

So far as I have read, that is simply the expression of a viewpoint and not the enactment of any law which in any way controls Congress or makes it unlawful to do anything. The remaining part undertakes to provide:

And it is hereby enacted that, from and after the 30th day of June, 1898, no money appropriated for charitable purposes in the District of Columbia shall be paid to any church or religious denomination, or to any institution or society which is under sectarian or ecclesiastical control.

But this is not a case where money is appropriated for charitable purposes in the District of Columbia, within the meaning of that language. This is an appropriation to take care of certain patients, and is not a gift to the hospital. It is not a fund for the maintaining of the hospital, but is a fund to be used in payment of contract services for taking care of destitute patients who may go to the hospital, and I submit to the Chair that it does not come within the language of the act upon which the gentleman relies.

Mr. Sisson. If the gentleman relies upon the contract, then unquestionably it is subject to a point of order, because there is no law which now authorizes that contract.

Mr. FITZGERALD. Yes; I have read the law authorizing the contract—the act of 1868.

The CHAIRMAN. The Chair would like to see the act of 1868 upon which the gentleman relies.

Mr. Sisson. Then I want to say furthermore, Mr. Chairman, that my information and knowledge—which might require proof in a court—is that the institution is absolutely under sectarian control. I do not take it that the gentleman will insist that Providence Hospital is not under sectarian control. The charter is one which enables certain trustees to acquire certain property for the purpose of holding it for certain purposes, but it is unquestionably true that the trustees are under sectarian control.

Mr. FITZGERALD. It is undoubtedly true that the trustees of Providence Hospital are not infidels or agnostics. The mere fact that the trustees profess some religious belief does not make an institution sectarian. That is very clear. A sectarian institution is one which by its charter is specifically placed under the control of a certain religious body or dedicated to the advancement of certain religion. The mere fact that men profess faith in God in some form or another does not make the institution with which they are affiliated sectarian.

Mr. Sisson. Admitting that a profession of faith in a particular religious denomination of the trustees, that they have some religion, does not, of course, make the institution of which they are trustees an institution under sectarian control, but it is common knowledge that the Providence Hospital is under sectarian control.

The CHAIRMAN. May the Chair ask the gentleman a question?

Mr. Sisson. Certainly.

The CHAIRMAN. Can the Chair take cognizance of who has control of the hospital; and if not, is there anything in the item under discussion that would advise the Chair as to whether or not the Providence Hospital is sectarian?

Mr. Sisson. There would only be one way by which the Chair could get official knowledge, and that would be by having the hearings before the proper committee—for instance, the committee that reports this bill—to have some proof in the hearings and establish the fact as to whether they were or were

not under sectarian control. But I did not anticipate that that proposition would be controverted.

Mr. DUPRÉ. Will the gentleman yield?

Mr. Sisson. Yes.

Mr. DUPRÉ. Does the gentleman intend to make another point of order against the succeeding paragraph?

Mr. Sisson. I shall make a point of order against the succeeding paragraph and against all appropriations to any institution of any kind that is under sectarian control. I want to state frankly that it would be immaterial to me as to what denomination might control the institution; my objection would be as seriously made against one as the other.

Mr. DUPRÉ. How does the gentleman propose to care for these patients?

Mr. Sisson. My position is thoroughly understood by the committee, and that is that the District of Columbia should provide a hospital for the care of its own patients and not have to depend on any other institution, either of a private character or of any other character. In order that we may carry out that policy, while it does not affect the point of order, I will say that the only way we are going to be able to have the District of Columbia have its own institutions will be to stop appropriations for these private and religious institutions that make contracts to care for their patients.

Mr. DUPRÉ. Is it not true that the patients to be cared for here in this institution are not charges on the District of Columbia?

Mr. Sisson. They are charges on the District of Columbia, and half of it is paid out of the District revenues under the present half-and-half plan.

So far as the care for them is concerned, it is the duty of every civilized community to take care of the indigent people in the community. They ought not to be charges on the charity of those that happen to surround them. It ought to be a common charge against the whole community, and all civilized Christian communities do make provision for the care of the unfortunate.

Mr. LEVY. In the meantime, how do you intend to provide for them?

Mr. Sisson. We have a provision in the District bill which, if it sticks, will make provision, and there will be no immediate suffering.

Mr. DUPRÉ. Does the gentleman say that all Christian communities do make such a provision for their indigent?

Mr. Sisson. I say they ought to. I do not care whether it is a private institution or a public institution; if it is a private institution, it ought not to be connected with the Government, and if it is under private control it ought not to go to the Federal Treasury or the State or municipal treasury.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Mississippi makes the point of order on two grounds against the paragraph containing an appropriation for the Providence Hospital, one that it is unauthorized by law, and the second that it is in violation of the statute prohibiting appropriations being made to any sectarian institution.

The Chair believes that under clause 2, Rule XXI, of the House of Representatives, no appropriation is in order on an appropriation bill unless authorized by law. The Chair is of the opinion that the act of Congress of 1868 authorizes an appropriation made for the Providence Hospital, and therefore overrules the point of order on that ground.

As to the second ground, that the appropriation contravenes the statute and is not in order because it makes an appropriation to a sectarian institution, the Chair is of the opinion that there is nothing in the act or in the item under discussion to apprise the Chair that Providence Hospital is a sectarian institution. And the Chair further believes that the act of Congress cited by the gentleman from Mississippi which prohibits any funds appropriated for charitable purposes in the District of Columbia being paid to any sectarian institution is a matter that should be determined by the courts or the Treasury Department if the money was paid or sought to be paid to some institution that fell within the prohibited class. Therefore the Chair overrules the point of order.

Mr. Sisson. Mr. Chairman, I move to strike out the item.

Mr. PAGE of North Carolina. Mr. Chairman, to any observant man who has anything to do with the appropriations for hospitals or charitable institutions in the District of Columbia it must be apparent that there is a decided difference of opinion between gentlemen in this House as to the method of making these appropriations. So far as I am concerned, I agree in the main with the statement that has been made by the gentleman from Mississippi [Mr. Sisson] that the charitable patients in the District of Columbia or any other municipality or local

political division should be cared for at public expense in institutions provided by that municipality.

There is now pending as an amendment in another appropriation bill a provision for the erection of a municipal hospital, and this question must be determined by the Congress of the United States as to one policy or the other for the care of these charitable patients. I am very glad indeed that the point of order made by the gentleman from Mississippi [Mr. Sisson] against the provision in the bill did not prevail, because if it had, my information is such that I am sure the needs of the indigent sick in the District of Columbia could not have been provided for at the present time. In the Washington Asylum Hospital, which is a municipal institution, and at present the only municipal institutions for the care of indigent sick, there is capacity for about 175 patients. The situation there is such that to-day there are over 225 patients crowded into the institution. They can not be properly cared for, and it is not humane that an attempt should be made to place that number of patients in that institution above its capacity. I hope to see legislation not long deferred when the city of Washington will make ample provision for the care of its indigent sick, and when that time arrives I shall join the gentleman from Mississippi [Mr. Sisson] in an attempt to cease appropriations to private institutions, whether sectarian or otherwise, because I believe, as he believes, that the public moneys should not be appropriated to private institutions, whether they be hospitals or anything else.

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

Mr. PAGE of North Carolina. I yield for a question.

Mr. MADDEN. While I was on the Committee on Appropriations I served on the subcommittee of which the gentleman is chairman at the present time, and I entered that committee with a prejudice against the present system of appropriating money for private hospitals. However, after a careful investigation of the conditions under which the money is appropriated, I reached the conclusion that it is much more economical to do it in the way in which it is done than to have an institution owned and controlled by the District of Columbia itself. What does the gentleman think about that?

Mr. PAGE of North Carolina. Mr. Chairman, so far as my own information goes, I will not controvert the statement the gentleman has made, although I am not satisfied that it is entirely correct. It may be true or it may not be true; but whether it is true or not, merely for the saving of a few dollars we can not afford, if it is not the proper governmental policy, to continue to make contributions to private institutions that continually produce friction among the Members of this body who are interested in these appropriations. I believe it would be vastly better, even though it might cost a few dollars more, for the District of Columbia to construct a hospital of sufficient capacity to care for all of its indigent sick.

Mr. MADDEN. Does not the gentleman believe, however, that with the great number of private hospitals to which the Government now contributes there is much more opportunity for indigent sick to be cared for than there would be if the Government itself owned and controlled the hospital?

Mr. PAGE of North Carolina. No; I do not; because if the Government owned and controlled a hospital of sufficient capacity it would be able to take care of them all, and if the District provides a hospital, it will provide one that has capacity for all of the indigent sick.

Mr. MADDEN. Has the gentleman given any thought to the cost of a hospital such as he describes?

Mr. PAGE of North Carolina. I will say to the gentleman that I have, along with other gentlemen, and, in my judgment, a municipal hospital for the care of the present number of indigent patients in the District of Columbia, making ample provision for a number of years in the future for the increase in the number of patients, could be constructed for \$1,000,000. That is based on an estimate not of my own but an estimate given by competent people who were called in as to the probable cost.

Mr. MADDEN. The conclusion I reached, after investigation as to the cost of constructing such a hospital, was that it would cost not less than \$3,000,000.

Mr. PAGE of North Carolina. It could be made to cost not only \$3,000,000 but \$5,000,000, if it was constructed in an elaborate way, but ample provision in a suitable building for indigent sick, not only for the present but for a considerable number of years in the future, could be constructed for a million dollars.

Mr. Chairman, my purpose in rising was to oppose the amendment of the gentleman from Mississippi. While I am in sympathy with his general purpose—with the provision that I hope will be made some time in the near future by the District of Columbia for the care of its indigent sick—I think at this time

that to strike out this appropriation of \$19,000 for the care of the indigent sick under contract at one of these private hospitals would make it absolutely impossible to care for them in the District of Columbia. I hope the amendment will not be agreed to.

Mr. FITZGERALD. Mr. Chairman, I wish to make a very brief statement. I am opposed to the motion of the gentleman from Mississippi [Mr. Sisson]. I do not believe in the policy of a city like the city of Washington or any other large community having hospitals controlled exclusively by the municipality. The experience of the great municipalities of the country has been that it is a wise and benevolent use of private institutions to have the destitute taken care of in such institutions. The theory seems to be that because a person is placed in a private institution and the cost of maintaining a patient is paid by the municipality or the Government, that thereby some benefit is given to these institutions. At Providence Hospital, under this appropriation, the hospital receives a little over 50 cents a day for each person that it takes, and while a definite contract is made with the Surgeon General of the Army, the hospital never pays any attention to the number for which the contract is made, but accepts all who are sent by the Surgeon General. In another institution where contracts of the same kind are made the cost is a little over \$1 a day, and in the Government medical institutions the cost is over \$1.30 per day. So that the Government does not actually pay the entire cost of the service rendered. I would regret exceedingly to see the adoption of a system in the city of Washington where the charitably inclined would be divorced from all association of the care of the unfortunate of the community. In this institution and in the Garfield Hospital the Government has invested almost a million dollars in contributions made toward the erection of the hospitals, so that they might be utilized for the benefit of the city. There is no discrimination against persons sent there because of race, religion, or any other condition that might affect them. They are cared for in a proper manner and cared for at a very slight expense. I believe it is desirable to care for them. In any event, at this time there is no place where the persons who will be taken care of under this appropriation can be provided for in the city of Washington except by putting a burden upon private charities which would be too great for them to bear.

The obligation of the Government to take care of these unfortunates can not be met unless the service is rendered in some private institution. I hope the amendment will not prevail.

Mr. LEVY. How many average patients are there?

Mr. FITZGERALD. The number is 96. The number of hospital days, 34,000.

Mr. LEVY. They would be thrown on the public anyway to be taken care of unless we make this appropriation.

Mr. FITZGERALD. The obligation of the Government to take care of them could not be performed. I have no doubt that if the Government refused appropriations for the care of the unfortunate, the destitute, the sick and disabled of the city of Washington that in some manner or other the charitably inclined persons would provide the means to do so, but nobody wishes that private persons should discharge an obligation of the Government. Whatever the Government pays for services rendered under contract does not contribute to the advantage or to the benefit of those institutions, because they render the services which can not be rendered for the amount of money which the Government contributes, and the balance that is required is made up from contributions from their own funds, obtained in many ways.

Mr. FOSTER. Mr. Chairman, it may be thought that because Congress appropriates money to the different hospitals that are already established in the city of Washington that they are enabled to make a considerable profit out of what patients are taken care of there; but I think that is a mistake. It is not the fact that they make any money out of the patients that are sent to them as charity patients. It is true out at the Washington Asylum that the place is very much crowded and it is not in the condition that it ought to be in for the proper care of these unfortunate people. There are, as I remember, two large buildings there, which were erected some years ago, that could be arranged to make accommodations for 250 or 300 people; but for some reason or other, after making some plans and looking into the matter considerably, Congress has taken no action, so these two large buildings out there, which were erected at an expense of \$300,000 to \$500,000, are used for nothing but storing of models of the Patent Office. The Tuberculosis Hospital in the city of Washington takes care of patients that are sent there who are unable to care for themselves, and I think it costs something like \$1.30 to \$1.40 a day to care for them. In other hospitals for which the Government appropriates money they usually allow 60 cents a day up to as high as \$1.20, but in

no case in these hospitals for which the Government appropriates for the care of destitute patients does it cost as much as it does in the Government hospital. Another thing, in the treatment of tuberculosis patients it is less expensive to care for them than it is for surgical patients—those who require more attention than they do there—so that I think, so far as the Government is concerned, that they have not lost any money; in fact, it is an economy for it to remain as it is now.

Mr. Sisson. Will the gentleman yield?

Mr. Foster. In just a moment. I was about to say that in the contracts which have been made in years past with these institutions I think the obligation fell on these institutions to take these patients at a very nominal figure, and it is not a money-making transaction for them in the least.

Mr. Sisson. In speaking of the cost of the tuberculosis patients the testimony before the subcommittee of the Committee on the District of Columbia was to the effect that the average cost of caring for the tuberculosis patients was greater than it was for the other patients, unless it were some patients who would require isolation, peculiar care on account of contagion, and the cost of the preparation of their food and close nursing.

Mr. Foster. Well, I think there is no doubt among medical men or those who have the management of these institutions that tubercular patients are less expensive than surgical or lying-in patients.

Mr. Sisson. If it is a surgical operation—

Mr. Foster. If it is true of the Tuberculosis Hospital, in the city of Washington, which I think is true, it is a mistake that it costs more to take care of those classes of patients than those I have mentioned.

Mr. Sisson. The gentleman will admit that where you have an institution restricted to a population of about 365 people that the overhead charges would be fully as great with a small number of patients as with a large number, would it not?

Mr. Foster. I think that is true. You take the Columbia Hospital out here on Pennsylvania Avenue, and they are building a new building. I will say that the pay that the Government gives to that institution for taking care of those indigent patients does not pay the expense to the Columbia Institution, and the Columbia Hospital is compelled to take from money that it receives from pay patients in that institution to make up the deficit that is caused by the taking care of these indigent patients sent to it from the Board of Charities. So that I do not think the Government loses anything. I think, in fact, the Government is ahead on this arrangement, and we have in the city of Washington a most excellent system of hospitals.

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

Mr. Foster. Yes.

Mr. Goulden. Is it not a fact that in both these items, for Providence and Garfield Hospitals, the amount appropriated does not pay for the number of indigent patients that are treated there?

Mr. Foster. Yes; and nothing like it. All of these hospitals take in indigent patients, for which they receive no compensation whatever. They are treating them all the time.

Mr. Goulden. They never refuse a poor, unfortunate person who applies for relief?

Mr. Foster. No; they do not refuse.

Mr. Madden. Mr. Chairman, I do not believe there ought to be any disposition to cut out the appropriation for the Providence Hospital. This hospital does a great work in the District of Columbia. It takes every class of patients that may wish to come. There is no discrimination as to color or creed, and the management of the hospital, as far as it is able to do so, pays its own way, and I believe there are more patients taken into Providence Hospital without any compensation to the authorities of the hospital than in any other hospital in the District of Columbia.

It is true that the Government has appropriated and proposes now to appropriate for that hospital in this bill, but the per capita cost of those who are admitted to this hospital is very small and the service rendered is very great. I hope that the gentleman from Mississippi [Mr. Sisson] will not feel called upon to insist upon having this item stricken from the bill. It is quite as meritorious an item as any other that is reported by the committee.

There can be no complaint about the character of the service rendered by the hospital. On the contrary the character of the service is entitled to high praise. I believe that the present method of caring for the indigent sick of the District of Columbia is not only more efficient, but more economical and more satisfactory than would be any system of conducting a hospital

owned by the District of Columbia itself. I believe that the cost of operating a large hospital owned by the District would be much greater than is the cost under the present plan.

Moreover, I believe that in a municipal hospital, owned and controlled by the municipal government, no such facilities would be afforded as are now open to those who are obliged to go to a hospital and who are too poor to pay their own way. Here we have so many hospitals that there is never any question about the facilities that may be required by those who are unfortunate and sick.

Mr. Page of North Carolina. Mr. Chairman, will the gentleman yield?

The Chairman. Does the gentleman from Illinois yield to the gentleman from North Carolina?

Mr. Madden. Surely.

Mr. Page of North Carolina. The gentleman surely does not know the situation in the District of Columbia at the present time. There is a municipally owned hospital in the Washington Asylum now.

Mr. Madden. That is largely a tuberculosis hospital, is it not?

Mr. Page of North Carolina. Not at all. That remark shows the gentleman's lack of information still further. The Tuberculosis Hospital is situated in the extreme northwestern portion of the city, whereas the Washington Asylum is situated down on the Anacostia River, with several hundred patients in it. Why should there be a discrimination among indigent patients? We have 175 or 200 patients there in an inadequate and poorly equipped hospital, and a great many others are provided for in private hospitals. Would the gentleman propose to divide these 175 or 200 and send them among private hospitals, or would he build a new municipal hospital?

Mr. Madden. As I understand, the hospital that the gentleman describes is not finished.

Mr. Page of North Carolina. No. There is a group of buildings there which are falling down, and they are inadequate. Two hundred patients are crowded into that hospital where there should not be more than 170.

Mr. Madden. There are some brick buildings there, are there not, which are not used?

Mr. Page of North Carolina. I see where the gentleman is getting his information. There are some brick buildings on this reservation that were abandoned and were formerly used by the workhouse. They were constructed for workhouse buildings. They were connected with the jail. They would go to make a municipal hospital and not a private one.

Mr. Madden. That is true, but since we have not that at the service of the indigent sick of the District, the only other thing to do is to provide for their care and provide for them in the only way in which they can be provided for, and that is by making some arrangement with the private hospitals of the District.

Mr. Page of North Carolina. There is no difference between the gentleman from Illinois and myself. I am opposing the motion to strike out this item, because the District has not now the facilities for taking care of its indigent sick that it should have.

Mr. Madden. I am glad the gentleman is on my side, because on that account I am confident we will win our case.

The Chairman. The time of the gentleman from Illinois has expired.

Mr. Madden. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

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

There was no objection.

Mr. Foster. Mr. Chairman, may I ask the gentleman a question?

Mr. Madden. Certainly.

Mr. Foster. I will say to my colleague, Mr. Chairman, that one of the great difficulties of the situation is that the secretary of the Board of Charities of the District of Columbia refuses to send patients to these hospitals because he wants to compel the construction of a municipal hospital. They could take those buildings at the Washington Asylum, that are not now used for any useful purpose, and with the expenditure of \$40,000 they could be fitted up and make a good hospital to take care of all those patients. The plans have been prepared and the matter looked up.

Mr. Page of North Carolina. Has the gentleman suggested a proposition of that sort or made a request for an appropriation of \$40,000?

Mr. Madden. No; but I have repeatedly spoken on the subject to members of the Committee on Appropriations.

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

Mr. McKENZIE. Mr. Chairman, I ask unanimous consent that my colleague may have one minute more.

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

There was no objection.

Mr. McKENZIE. I desire to ask my colleague from Illinois [Mr. MADDEN] if he can tell the committee for how many years appropriations of this character have been made to private institutions?

Mr. Sisson. Since 1906, I will say to the gentleman.

Mr. MADDEN. No; they have been made for longer than that.

Mr. Sisson. That is, this particular appropriation has been made since 1906, and some of them go back to a time when the memory of man knoweth not to the contrary.

Mr. MADDEN. Some of them go back to the beginning of the District government.

Mr. McKENZIE. May I ask my colleague another question?

Mr. MADDEN. Yes.

Mr. McKENZIE. Has there been any effort made by Congress for taking care of these unfortunate people in any other way?

Mr. MADDEN. No. No effort has been made at all.

Mr. McKENZIE. Can the gentleman from Illinois give an explanation of that?

Mr. MADDEN. Yes; I can. I think suggestions have been made time and time again that a municipal hospital should be constructed and operated by the District government, and during the time I served on the Committee on Appropriations the suggestion was made that in the operation of this hospital, established at a cost of \$4,000,000, the per capita cost per patient treated would be \$2 for every 50 cents that the Government pays now.

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

Mr. Sisson. Mr. Chairman, in making this motion, I make it with the hope that this item will be stricken out and that the item which immediately follows will also be stricken out. The Government has been called upon to make appropriations for buildings on these two lots, and if Congress had expended these amounts on a municipal hospital, the District of Columbia would now own an up-to-date hospital.

This appropriation has been carried for a number of years; and just as long as certain influences in this District operate in Congress, just so long you will not be able, I fear, to have the District of Columbia perform its duty by its own indigent sick. I want, if I can, to divorce all private institutions and all religious institutions from the Federal and District Treasury. This is a principle for which all of us ought to stand. If, as has been said—and possibly it is true in many cases—the District of Columbia does not pay to these institutions the entire cost of the care of the patients, then the District of Columbia is imposing upon these institutions, and we should relieve them from that imposition.

Mr. DUPRÉ. Will the gentleman yield?

Mr. Sisson. In one moment. Not only that, but you will find, as was suggested by the gentleman from Illinois [Mr. Foster] that in many cases they do not send patients to these private institutions, but put them in the institution that is under the control of the District of Columbia. That discrimination is rank, and ought not to be tolerated for one moment. But if the District of Columbia had its own hospital, under the control and management of the District government, where it could control the funds and the terms of admission, then no Government money would pass out from under Government control, but would always be within the control of the Federal or District Government. Now, I will yield to the gentleman from Louisiana.

Mr. DUPRÉ. Does the gentleman know of any protests or criticisms from these institutions against the so-called imposition which he says is being practiced upon them?

Mr. Sisson. I have not heard of any, but I do know that the moment you try to take away from any of these institutions—those under private or sectarian control—any of the appropriations which they have been accustomed to receive you do hear protests. I take it that, as was suggested by the chairman of the committee [Mr. Fitzgerald], these charitable institutions would, to the extent of their capacity, take care of the indigent patients who knock at their doors whether or not the District of Columbia or the Federal Government contributed one single penny to their support and maintenance. But it is a duty which devolves upon this community, as it devolves upon

the various States of this Union, to take care of their indigent patients and their indigent poor, and the District of Columbia ought to do that. And if in addition to that you have private institutions or institutions of a sectarian character that from high and philanthropic motives wish to perform those acts of charity, so much the better. But I do not believe the Federal Government, the District government, or the State government ought to contribute anything to private institutions, where the money so appropriated will be controlled, either by officials appointed by the privately owned concerns or by sectarian organizations. It should always remain within the control of the government that makes the appropriation.

I have no word of criticism against either of these hospitals. I know of no criticism. I am making no criticism against the management. I know of none. I commend them in the great work which they are doing, but I do not feel that they ought to be connected with the Federal Treasury. I believe that it is the duty of this District to make an appropriation that will be ample to construct a building that will take care of the indigent poor of the District. It is the duty of the District of Columbia to care for them.

On two occasions we went into this matter thoroughly. It was contended that it would take \$3,000,000 to build such a hospital, and there was another contention that it would take \$4,000,000 to build such a hospital. If you should build such a Government building, ornamented with columns, frescoes, painted ceilings, and marble furnishings, with stately porticos, you could make that building cost any amount you might desire to expend; but the municipal architect submitted plans and specifications to your subcommittee when this bill was in conference at one time on an item which had been put into the bill in the Senate, and both the conferees of the House and the conferees of the Senate were then thoroughly convinced that a building could be put up for between \$800,000 and \$900,000 to accommodate not only the patients that are now charges upon the District of Columbia, but the increased number which might be expected from the natural increase of population, so that the building would not have to be enlarged for 7 or 8 or perhaps 10 years. And the building would be constructed so that when necessary it could be enlarged.

You will not be able to divorce these institutions from the Federal Treasury until you do build this hospital; and I am prone to believe that obstructions will be placed in the way of building the hospital as long as you make these appropriations. For that reason I have made the motion to strike this item out of the bill, because, as was suggested by the chairman of the committee, nobody is going to suffer. You might place the burden for the time being upon these institutions, but just as certainly as these and similar items go out of this bill and the other bills, just so certainly will Congress build a municipal hospital. And so far as the cost is concerned, if a building is put up sanitary, well lighted, modern, and well furnished, it is estimated that it will cost but little if any more than the contract price now in vogue to take charge of the whole business, except the tuberculosis hospital and those patients who have contagious diseases. And if you could consolidate it all under one management the overhead charge for each patient would thereby be very much reduced. And even though it should cost us a little more money, it would be better to divorce the institutions and let the Government perform the public charities and let the private institutions perform their private charities.

The CHAIRMAN. The time of the gentleman has expired.

Mr. Sisson. I ask for two or three minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. Sisson. Now, I have just as serious objections to the next item as to the item which I have made the motion to strike out; and wherever an item of that kind occurs in any of these appropriation bills I will make a motion to strike it out, and would have done so earlier, but we were very hopeful of being able to prepare plans and specifications for a municipal hospital. As soon as we get the right sort of a hospital here then all the thousands of dollars which we now pay for these purposes—I have not added up the items, but they make a considerable amount—can be included in one sum, and will make an enormous amount for the support of the municipal hospital. I believe that if you would concentrate all the public funds and put them under one management, all the charities of the District could be performed within the amount which we are now contributing to these various institutions.

There has been a large amount given to the Garfield Hospital which went into the building. The money appropriated to that

hospital and other private hospitals here amounts to some \$2,000,000 within the last few years. If all that money had been spent on a municipal hospital, you would have had a Government-owned hospital, ample as the Supervising Architect says, ample as the physicians connected with the board of charities say, to take care of all the patients in the private hospitals or in the Columbia Hospital.

Mr. MONDELL. Will the gentleman yield?

Mr. Sisson. Yes.

Mr. MONDELL. Did the gentleman support my amendment that I offered in the District bill last year for money to begin the construction of a municipal hospital?

Mr. Sisson. I did not.

Mr. MONDELL. Then the gentleman can not complain that we have not started one.

Mr. Sisson. The gentleman offered an amendment to appropriate \$3,000,000.

Mr. MONDELL. Oh, no.

Mr. Sisson. The gentleman's idea was a hospital costing \$3,000,000, and your colleagues felt that that was entirely too much money, and when we had the Supervising Architect make plans and specifications for building an unornamented one for merely hospital uses, the estimate he made was in the neighborhood of \$900,000 for the building of that hospital. In other words, we could have constructed and furnished an up-to-date building for a million dollars. If we had accepted the gentleman's proposition, it would have cost \$3,000,000.

Efforts have been made to start a hospital. I will state to the gentleman from Illinois [Mr. McKENZIE] that efforts were repeatedly made, and the reason that Congress one time several years ago, according to the information I have received from the Members of another body who were then Members of that body, that a municipal hospital would probably have been constructed if it had not been for the enormous sum that the architect estimated that the building would cost. The plan then provided a beautiful marble building, one which ought not to be erected as a hospital. The money that would have been used for such a building should go for the purpose of making patients comfortable; it should be sanitary and with plenty of air and light. In other words, the construction of hospitals are and should be on sanitary lines and not for architectural beauty. We want a sanitary hospital built on modern lines.

The Supervising Architect in the estimate and plans submitted to us, as I have just stated, provided for less than a million dollars. The efforts that have been made to build a hospital have been defeated because they wanted to build for beauty and not for service. I would gladly join with any gentleman who is willing to build a suitable building for hospital purposes for the purpose of caring for the District poor.

Mr. MANN. Mr. Chairman, the arguments of my friend from Mississippi have been devoted almost wholly to building a municipal hospital, which really has little to do with his motion to strike out the provision in the bill. The truth is a municipal hospital has not been heretofore built in Washington, probably mainly by reason of the state of the revenue. For a good many years the District of Columbia was badly in debt to the General Government. It is getting out of that debt, and with the revenue now coming in to the District of Columbia it is probable that in the next few years they will be able to get a municipal hospital, not such a one as the gentleman from Mississippi would construct—a wholly inadequate hospital—but a respectable building, whether it cost \$2,000,000 or \$3,000,000.

Mr. Sisson. Does the gentleman know how much the surplus revenues of the District are?

Mr. MANN. I do not know, but I know they are plenty.

Mr. Sisson. Two million and odd thousand dollars.

Mr. MANN. They have not wholly paid their debt to the Government, but will shortly. They will then have the means to construct a hospital and make some other public improvements.

Now, Mr. Chairman, I do not quite differentiate between having an employee of the Government come to the city of Washington and go to a hotel and the Government pay \$4 a day for his subsistence at the hotel and for the Government to pay 50 cents a day for the subsistence of some destitute sick person at some institution. The hotel is a private institution. The Government does not maintain a hotel and feed all the Government employees, and they are very numerous, who come here during the winter and get their subsistence allowed to them. This item does not contribute an amount to the support of a private institution. It only pays a certain rate when the District sends to this institution, as it might send to the hotel, some person to be fed and cared for, the only difference being that when he goes to the hotel we pay \$4 a day and when he goes to the insti-

tution we pay 50 cents a day. We are a long ways ahead of the game.

If the gentleman's amendment should prevail, what would be the situation? The destitute sick of the District of Columbia would have no place where the District could send them for care. To me it is abhorrent to say that the great government of the District of Columbia will not make any provision at all for the care of the indigent sick until we make provision for a municipal hospital; until we find some other place to send them, we ought to put them in a private house, at a private institution, in a semipublic institution, or some other place, and they ought not to be left to wander on the streets, relying wholly upon private donations.

The CHAIRMAN. The question is on the motion of the gentleman from Mississippi to strike out the paragraph.

The question was taken; and on a division (demanded by Mr. Sisson) there were 6 ayes and 31 noes.

So the motion was lost.

The Clerk read as follows:

Garfield Memorial Hospital: For maintenance, to enable it to provide medical and surgical treatment to persons unable to pay therefor, under a contract to be made with the Board of Charities of the District of Columbia, \$19,000, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. Sisson. Mr. Chairman, I shall not raise the point of order to this paragraph, but make the motion to strike it out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi to strike out the paragraph. The question was taken, and the amendment was rejected.

The Clerk read as follows:

Southern Branch, Hampton, Va.: For current expenses, including the same objects specified under this head for the Central Branch, \$6,0004.

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

The Clerk read as follows:

Page 78, line 18, strike out "\$6,0004" and insert in lieu thereof "\$46,000."

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

The amendment was agreed to.

The Clerk read as follows:

For farm, including the same objects specified under this head for the Central Branch, \$5,000.

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

The Clerk read as follows:

Amend, page 83, by inserting, after line 2, the following:

"For the construction of permanent steps at the front entrance of the Battle Mountain Sanitarium grounds, \$5,509.50."

Mr. FITZGERALD. Mr. Chairman, on that I reserve the point of order.

Mr. MARTIN. Mr. Chairman, of course the item is not subject to the point of order. It is a question of completing a work not only already in progress but that is entirely completed except the putting in of these permanent steps and the putting up of a stone gateway over the entrance to the driveway to the grounds.

This is a small item, but it is an item that is of very great importance and one that ought not to be neglected. It is foolish for the committee or the Congress to neglect the putting in of these stairs. The Battle Mountain Sanitarium is the hospital sanitarium branch of the entire soldiers' home system of the United States, and there the most afflicted invalids are sent for treatment and convalescence. I want to say that the Government has expended over a million dollars or thereabouts in what I believe to be one of the most complete hospital equipments in the United States, and it is providing for the old soldier, the veterans of the Civil War and of the Spanish-American War, the humane service for which this institution was founded something like 10 years ago. It occupies a central position in this town of Hot Springs, which is itself a generally curative place, having about 2,500 inhabitants. The sanitarium occupies in the neighborhood of 100 acres of ground, most of it in the very center and heart of the city, all of which was donated by the citizens of the town when the Government established this palatial sanitarium there, so that the citizens have been very liberal contributors in both money and property. It is situated on a high plateau about 110 feet above the business streets of the town, and it is approached from a central part of the town up a perpendicular declivity of something like 100 feet.

When the institution was constructed the contractors took the material furnished by the citizens and built temporary wooden steps to lead from the center of the town up to the plateau upon which the Government improvement is situated. Those wooden steps are now decaying and are in a dangerous condition. They are traveled by hundreds of patients and con-

valescents, who go to and from the Government hospital to the town for their mail and other conveniences. It is a public place, where all of the citizens or the visitors must pass in going to and from the Government hospital. A part of the original design of the architect was for cement steps, passing from the street in the town up to the plateau, and the time has now arrived when they must be put in, or, as I have said, accidents and damage may come. These steps are not in a safe condition now. The engineer of the home has prepared the estimates and has sent them on in a letter from the governor and surgeon in chief at the home. The amount desired is a reduction of the architect's estimate from \$7,000 down to a little over \$5,000, and this is accomplished by leaving out some of the unnecessary ornamentation. It makes a suitable and permanent approach, constructed entirely of cement and other permanent material, and it involves a flight of 153 steps in height. I presented this matter to the Committee on Appropriations, and there is no reason for leaving it out, unless it was for the technical reason that it was not in the estimates that come from the department. I know personally that every member who has been any length of time on the board of managers is thoroughly aware of this necessity and favors this improvement. I may say that there is another side to this question, which I think is of some consequence.

In order to get additional ground for an approach to these steps it was necessary to have some other land to connect up with the end of the street, and I know of my own knowledge that the board of managers obtained free deeds from the Evans Hotel Co. and another owner adjoining that street for additional land to round out the grounds and make the place for this improvement by these steps on the representation that these permanent steps would be put in with the least possible delay.

I am about to retire from Congress, and although these assurances were made six or seven years ago they have never been carried out. It is perfect folly, in my judgment, not to include this in the improvement and completion of the plans, and I think the chairman of the committee ought not to oppose the proposition. I wish to put in the Record a communication from the governor, specifications from the engineer showing not only the necessity but showing that this was the agreement when the ground was obtained for the purpose of putting in these steps, and another letter upon the same subject.

The matter referred to above is as follows:

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS,
BATTLE MOUNTAIN SANITARIUM,
Hot Springs, S. Dak., January 12, 1915.

Hon. EBBEN W. MARTIN,
Member of Congress, Washington, D. C.

DEAR MR. MARTIN: In compliance with your request of the 4th instant requesting data or information in regard to putting in the new steps leading up from the city of Hot Springs to the sanitarium grounds have to state that the old steps are very dilapidated and it is highly necessary they be promptly replaced by new ones. As this is the main avenue traveled by the members in going to and from town, these steps should be of a permanent nature.

On yesterday I had a talk with stockholders of the Evans Hotel Co., Messrs. Humphry, Bennett, and Stewart, also with Mr. Chris Jensen, and they stated to me that there was a verbal agreement between Capt. Palmer, who was the first local manager of the sanitarium, and the Evans Hotel Co. and Chris Jensen to the effect that permanent stairs leading from the top of the hill on the sanitarium grounds down to the foot of the hill, which lands in the middle of National Avenue, would be built.

Because of the above promise the Evans Hotel Co. and Chris Jensen gave a strip of land adjoining the sanitarium grounds, which strip of land straightened the line of the sanitarium reservation and extended the reservation to the foot of the hill, at the landing of the stairs.

When the plans and specifications of the sanitarium were drawn by the architect, Mr. Kimball, of Omaha, plans were also drawn for the proposed entrance by means of permanent stairs at the location of the old stairs. The estimated cost of building the proposed stairs and erecting a suitable approach at the foot of the incline is \$7,773.50.

Have requested the chief engineer to make a report and estimate on the cost of building the steps and double arch gates, and inclose herewith copy of same, together with tracing of plan of steps as shown on the original drawings; also pencil sketch of proposed double arch gates at entrance to sanitarium grounds at the foot of the incline.

With regards, very respectfully,

JAMES A. MATTISON,
Governor and Surgeon.

JANUARY 12, 1915.

The Chief Engineer.

The governor and surgeon.

Proposed cement steps leading to the sanitarium grounds.

1. The wooden steps leading up to the sanitarium from the street leading to about the center of the grounds were built by the contractors of the buildings, the citizens of the town buying the material and the contractors doing the work. They have been kept in repair by the home for the convenience of the members and the public and citizens, who have business at the home, and they are the only near way of reaching the sanitarium grounds, the incline or main walk being a long way around. If they are maintained it will be necessary to rebuild them, as most of the stringers are rotten, they are mostly patches, and in a very short time there will be nothing left to nail to.

2. It was understood that there were to be cement steps built in place of the wooden ones, and the landscape artist shows the plan of them in his blue prints. There was a verbal agreement entered into by Capt.

Palmer, local manager, and the Evans Hotel Co., that if the hotel company would give to the home a triangular tract of ground so the home grounds could be squared up, the home would build the steps; the Evans Hotel Co. gave the ground—shown in red on the tracing—and it is now a part of the home grounds. This tract of ground was necessary to have if the landscape artist's plans were carried out, as the south end of the oval lies on the acquired ground. The citizens and the Evans Hotel Co. feel that the agreement should be carried out and the steps maintained. If built of stone and concrete, they would last indefinitely.

3. The proposed steps will start at the line of the home grounds with a flight of 24 steps to a landing, where the oval starts, the second flights will swing to the right and left in the form of an ellipse with 26 steps and 2 platforms on each side to a platform and rest place with seats, the third flights continue the oval and will have 26 steps and 2 platforms to the center line of the steps, where there will be a platform and seats, then the steps are in one flight to the sanitarium ground level; this flight will have 36 steps and 2 landings with seats. There will be in all 153 steps.

4. The original estimate on building the steps was \$7,000. The steps were to have been 10 feet long, 6-inch rise, and 11-inch tread, with a curbing of 12-inch thickness on each end of the steps, the curbing forming the railing. We propose to do away with this heavy curbing or railing and put instead an iron railing. This will cut down the cost and will be easier to grasp than a 6-inch rounded cement rail. The length, rise, and width of the steps will be maintained. The first flight will have to be carried on stone, as there is a straight rise of 12 feet; the stonework will be native stone rubblework laid in cement mortar. The lower sides of the ellipse will have to have rubblestone retaining walls, the inside of the lower side of the ellipse will have to have a 6-inch curbing to keep the rain wash off the steps, and the outside of the ellipse on the upper sides will have to have a similar curbing. The seats at the rest places will be made of cement, perforated. The rise of the steps will be troweled smooth, the treads will be finished with wooden floats, leaving them rough, the railing will be made of 1½-inch iron turned so the same will be free from splinters, the fittings will be standard malleable rail fittings, and the uprights will be built in the center of the steps. This will make the railing secure and permanent.

5. There will have to be a sewer from the fountain in the center of the ellipse and connected with the city sewer system. There will be 10 electroliers, the same pattern as those on the home grounds, and wired in two circuits. The top globe being wired for the all-night circuit. A sidewalk will have to be built from the steps to connect with sidewalks each side of the street.

Estimate.

Concrete for anchorages, etc., 77 cubic yards; steps, landings, curbing, sidewalks, and seats, 88 cubic yards; total, 165 cubic yards—cement, crushed rock, and sand necessary for making the concrete.....	\$1,372.00
Rubble stonework laid in Portland cement, 2,700 cubic feet.....	1,755.00
Pipe railing with all the necessary fittings.....	185.00
10 electroliers, complete with globes.....	550.00
Conduit and wiring.....	200.00
Lumber for forms, etc.....	96.00
Miscellaneous: Includes powder, fuse, iron for anchors, spikes, etc.....	110.00
Water piping and sewer.....	116.50
Labor for excavating, hauling, etc.; teams.....	315.00
Labor for excavating, drilling, blasting, mixing concrete, and such other work as may be necessary.....	\$10.00
Total.....	5,509.50

6. It is proposed to build a double-arch gate at the entrance to the grounds on the main drive. The opening over the roadway to be 10 feet 6 inches wide, and 4 feet 6 inches wide over the sidewalk. The piers supporting the main arch will be 4 by 5 feet and 9 feet high. The pier for the smaller arch will be 3 by 5 feet and 7 feet high. The arch will be circular with a radius of 5 feet and 3 inches, making the height of the opening at center of arch 14 feet and 3 inches. The smaller arch radius will be 2 feet and 3 inches, and the opening will be 9 feet and 3 inches above the sidewalk.

7. The stonework up to the cornice line will be rough-faced ashler native stone. The arch stones on face and everywhere exposed will be crandalled. The cornice will project not less than 10 inches and have at least five members and wash. The cornice to be 14 inches thick and to be rubbed smooth.

8. Over the keystone of the arch, facing the street entrance and below the cornice, shall be placed and recessed a dark-colored grate panel upon which shall be cut: "Battle Mountain Sanitarium" in 4-inch letters, cut in. There will be two ornamental wrought-iron gates 5 feet 3 inches wide and 9 feet high, one ornamental wrought-iron gate 4 feet 6 inches wide and 7 feet high, patterns to be selected, and two electroliers the same pattern as those on the home grounds.

Estimate.

Excavating and foundations.....	\$157
Stonework, completed as per plans.....	1,667
3 ornamental wrought-iron gates.....	148
1 electroliers.....	110
Conduit and wiring.....	182
Total.....	2,264

9. Tracing of plan of steps as shown on the original drawings, also double-arch gates on main drive, inclosed herewith.

J. S. GOODRELL.

RAPID CITY, S. DAK., January 11, 1915.

Hon. E. W. MARTIN,
Washington, D. C.

DEAR CONGRESSMAN: Your letter of January 4, 1915, asking for information as to the contract or understanding between the National Sanitarium and the Evans Hotel Co. at Hot Springs, S. Dak., in regard to the property deeded to the Government for the stairway or approach to the sanitarium, received.

It is our understanding that the representatives of the sanitarium stated that it was very important to the Government to have this ground for the main approach to the sanitarium, as it is the only practical place for said entrance, and they agreed with the Evans Hotel Co. that if said ground was deeded to them that a permanent cement approach and stairway would be constructed, in keeping with the other improvements and buildings of the sanitarium. The hotel people were very loathe to part with said ground, as it was part of their park

facing the street, but they finally deeded said ground with the above understanding.

It is my understanding that the contract was not put in the deed and am unable at this time to state if a separate contract was made or not, as the old officers of the hotel company are not in this section of the country at the present time.

Anyone seeing the sanitarium property can readily understand the great necessity for this approach and the importance to the Government owning the ground deeded by the hotel company. By having this entrance the officers and employees are at least half to three-quarters of a mile nearer the main business part of the town. The City Park is directly in front of the hotel for the convenience of the patients, old soldiers, and the public, and the upper end of the approach is directly in front of the main entrance to the sanitarium.

The present structure is in a dilapidated condition and is an eyesore to everyone and a disgrace to our great Government.

Very truly, yours,

EVANS HOTEL CO.,
By GEO. P. BENNETT,
President.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, sooner or later—and the better sooner than later—we must make the improvement that the gentleman from South Dakota [Mr. MARTIN] has described to us and which is to be made under the item of appropriation for which he has asked. It seems to me that the appropriation should be made now, as the wooden stairway he speaks of is old, liable to be dangerous, and there is possibility of injury, or loss of life, and heavy damages or claims against the Government. There is nothing more necessary to say in support of the improvement than what the gentleman said other than this. The gentleman from South Dakota, who has rendered splendid service for his State in this House for a number of years, is largely entitled to the credit for this fine institution; or, rather, to put it in another way and state it more accurately, he is entitled to great thanks and credit for having called to the attention of the Congress the splendid opportunity which the little city of Hot Springs in his State afforded for the utilization of the curative waters of the springs there in prolonging the lives and relieving the distress of old veterans. The Battle Mountain Sanitarium is a splendid monument to the gentleman from South Dakota. It is one of the most useful and beneficial of all our public institutions. The gentleman from South Dakota has determined to end his services here. He could have remained had he desired, as his people would have returned him indefinitely, having full confidence in him and fully appreciating, as we do, his splendid ability and his devotion to the people's interests. But he is retiring to private life, and I think it would be a very proper and gracious thing to make this improvement now, while the gentleman from South Dakota is still with us, in order that when he leaves Congress this institution, with whose establishment and building he had so much to do, shall have been fully completed. [Applause.]

The CHAIRMAN. Does the gentleman from New York insist on the point of order?

Mr. FITZGERALD. Mr. Chairman, I withdraw the point of order. This is a matter presented to the committee after the Board of Managers of the Soldiers' Home had appeared before the committee. If the item had been included in the estimates and the situation explained as it has been explained to the committee since the board of managers appeared, I do not believe there would have been any objection to the item. The present condition undoubtedly is dangerous. The inmates of these homes, who are old veterans, suffering from tuberculosis, whose years will be short, will be considerably benefited by the elimination of the very long trip from the town up around the hill to the sanitarium. While the item is subject to a point of order, yet if the board of managers had submitted it and explained it as it has been presented to the committee, I am confident that it would have been included in the bill, and therefore I shall not oppose it.

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

Mr. MARTIN. Mr. Chairman, I sincerely appreciate the attitude of the gentleman from New York [Mr. FITZGERALD] and the gracious comment of the gentleman from Wyoming [Mr. MONDELL] and the vote of this committee upon this item. If it will not be considered at this time to be asking too much, I would like to proceed for 10 minutes on another phase of this question.

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

Mr. MARTIN. During my long illness last year there was a movement on foot, which received some support upon the floor of this House, to transfer the management of the soldiers' national homes throughout the country from the board of managers to the War Department. In that connection there was considerable bad feeling generated, and some developed

upon the floor of the House here, and I think the proposition was not fully understood in the country at large. Three men were released or discharged from the Battle Mountain Sanitarium for improper conduct, and in that connection the gentleman from Illinois [Mr. BUCHANAN] and the gentleman from Kansas [Mr. ANTHONY] introduced considerable material from these three disgruntled members, who were not veterans of the Civil War but veterans of a very short service or enlistment in the Spanish-American War, reflecting disagreeably upon the management of the Battle Mountain Sanitarium and the officers and other members in connection with that institution. Had I been here personally at the time, my thorough acquaintance with the officers of the sanitarium and with that institution would have enabled me at that time to have said much in defense of the management. My colleague [Mr. BURKE] did speak in behalf of the institution and placed the matter in a very excellent light before the committee of the House, and investigations were had. My colleague if not detained elsewhere this afternoon would have been here when the item was reached for the purpose of commenting further on the situation.

I shall not impose upon the liberal treatment of the House at this time further than to say that there have been numerous investigations of this subject from that time until now, all with one result. These three men who were let out of the institution were, as I said, Spanish-American veterans, and the National Spanish-American Veterans' Association appointed a committee of investigation, which went to Hot Springs and there fully investigated the situation. It made a report, which I shall insert in the RECORD in connection with my remarks.

The National Grand Army of the Republic appointed another committee, and one member thereof, Capt. C. V. Gardner, the brother of Hon. Washington Gardner, formerly a distinguished Member of this House and a member of the Committee on Appropriations, has made a report, which I will also put in the RECORD. In addition to that, the Inspector General of the Army, Maj. Jackson, also investigated the subject and has made a report upon it.

Now, those reports, which are brief, and also some extracts from the testimony of these hearings, I want to have the leave of the House to put in the RECORD in connection with my remarks, which I trust and believe will be the final chapter upon this subject.

I want to say, however, that personally I have full knowledge of this institution, and have had from the beginning. The governor or surgeon in charge, Col. Mattison, came from the State of Ohio, and had served for years in connection with the National Home for Disabled Volunteer Soldiers at Dayton, and I may say that, although I had no acquaintance whatever with him until he arrived, after due appointment, to take charge of that institution, he has shown himself a most efficient and kindly man in every way, and, in my opinion, perfectly ideal in the management of that institution. Among the hundreds of veterans that I have met from time to time I have yet to meet a member of this home who has not spoken in the highest terms not only of the management, but of the treatment received there.

I can say this much also in favor of the only other officer who has been criticized in that connection, Maj. Stanley, the treasurer and quartermaster, whom I have known almost from boyhood. He is a man of the same high character and type. Suffice it to say that every investigation that has been made—and there have been several, as the RECORD will show—has entirely vindicated the management, and they all comment in the most positive language upon the splendid manner in which this institution is conducted.

Those men who criticized it are simply chronic trouble makers, who, without any record of any consequence in connection with the War with Spain further than an enlistment, without going to the front, were simply disturbers, as will be seen from the testimony of numerous members of the same institution in the same ward with them. They are simply men who are seeking to make anarchy and trouble in that institution, and trying to back up the movement that was agitated here in Congress to transfer the management of the institution from the board of managers to the War Department.

To these reports I take this opportunity to add my own assurance as to the good management of the institution. It is indeed performing the high service for which Congress founded it some 12 years ago. It is giving to the veterans of our wars that intelligent and kindly surgical and medical treatment that their peculiar and serious diseases require, and it is but another appropriate tribute that the Nation is paying to those who have defended the country in the time of its need.

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

The CHAIRMAN. The gentleman from South Dakota [Mr. MARTIN] asks leave to extend his remarks. Is there objection? There was no objection.

The matter referred to is as follows:

STATEMENTS AND REPORTS REGARDING CONDITIONS AT BATTLE MOUNTAIN SANITARIUM, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

Report of Capt. C. V. Gardner, committee appointed by the National Grand Army of the Republic:

PIEDMONT, S. DAK., June 17, 1914.

Hon. FRANK BUCHANAN,
Washington, D. C.

DEAR SIR: On my return home, after an absence of some weeks, my attention has been called to a speech made by you and published in the CONGRESSIONAL RECORD of April 29 last, in which you viciously assailed the management and officials of the Battle Mountain Sanitarium, located at Hot Springs, this State. My first thought was one of intense indignation; then, supreme pity, that a gentleman supposed to have the ability to represent in part one of the great States in the Congress would make such a speech without first trying to ascertain if there was just cause for it and the alleged complaint in a letter by one Wallich and made a part of your bitter and unjust attack.

Permit me to state that at the last annual encampment of the National Grand Army of the Republic Association held at Chattanooga a standing committee of ten, one for each of the national homes, was appointed to investigate alleged ill-treatment of inmates and other wrongdoings by the officials of the homes. I was assigned to the Battle Mountain Sanitarium. I made application for admission, ostensibly for treatment, but in reality that I might, from personal experience and observation, study conditions as they actually existed. I was regularly admitted February 5 last and remained until March 2. I was assigned to a ward and lived just as other inmates, eating the same food at the same tables, and obeying the same rules and regulations of the institution as my comrades did.

It was a pleasant experience and a revelation along many lines. There were at the time of my visit between four and five hundred inmates.

Being a sanitarium rather than a home, I found men suffering from nearly all diseases and ailments that humanity is heir to.

Patients in all stages of diseases, from the very sick to those who were physically strong, were there for treatment of real or imaginary chronic ailments. I desire to state right here that it is my candid belief that quite a number of the inmates, judging from their physical appearance, movements, and appetites, are there because a too generous government has supplied them with all luxuries of a home without money or a price. Men able to work, yet taking the opportunity of having been enlisted as soldiers to live without labor or responsibility. This applies especially to some of the so-called Spanish War veterans.

I do not hesitate to state that if you will look up the record of the man who wrote and those who indorsed that letter you will find that they never heard a hostile shot; or if so, were far in the rear, and, further, if they are ailing they are being treated for diseases brought on by dissipation and debauched habits. They are simply "camp followers" and unworthy of the name of American soldiers and a disgrace to the great body of young men who are rightly known as Spanish War veterans.

I doubt not all the 10 homes have a greater or lesser number of these fellows, whose chief occupation is that of disturbers and faultfinders. I found the sanitarium modern in all respects and treatment the very best.

The food, while plain, as it should be, was most abundant, and the chef of the Waldorf-Astoria could not improve on its preparation and cooking. All foodstuffs are accepted only after inspection by a competent committee, two of whom are doctors, and must comply with pure-food laws. The sanitary conditions are simply perfect from "cellar to garret."

I have found that not only all the officials, but attendants as well, are most courteous and attentive to their varied duties. As to Gov. James A. Mattison, I do not believe in all the country there is a man better qualified in every respect for the position he occupies. He is kindness personified, yet firm in his administration, and the charges you make in your unconsidered, want to be charitable, speech are so foreign to his nature that they are simply absurd.

It is my good fortune to have known Maj. W. H. Stanley for a number of years. He is a most genial gentleman and the very soul of honor, and if a wrong, by any means possible, occurs in his department, no man would be swifter to right it, if in his power to do so.

Should you have any doubt of the truth of these statements, if you will go and investigate for yourself and not find them in all respects as above set forth, I will pay all your expenses from Washington and return. Should you find my contentions correct, I hope you will be big enough and broad enough to acknowledge before all the people of the country that you did a great injustice to the most worthy gentlemen and conscientious officials. It is that spirit that makes just men perfect.

Yours, truly,

C. V. GARDNER.

STATEMENT OF THE TWO MEMBERS OF THE COMMITTEE APPOINTED BY THE COMMANDER IN CHIEF OF THE NATIONAL SPANISH WAR VETERANS' ORGANIZATION TO INVESTIGATE THE CONDITIONS OF THE NATIONAL HOMES, WHO WERE PRESENT AND MADE THE INVESTIGATION OF THE BATTLE MOUNTAIN SANITARIUM, HOT SPRINGS, S. DAK., MARCH, 1914.

Having been appointed by the commander in chief of the United National Spanish War Veterans to investigate the conditions in the Soldiers' Homes, we started at Dayton, Ohio, then went to Battle Mountain Sanitarium, Hampton, Va., and Johnson City, Tenn.

We received word that there was some trouble at the sanitarium. When we arrived we had no idea what the trouble was. We reached there on the 23d of March, 1914. There were three men there—Anthony H. Wallich, James H. Lacy, and John H. Yount, patients in the tuberculosis cottage—who were decided malcontents. We found them to be chronic agitators, causing trouble not only in the tubercular cottage but in the sanitarium as a whole. In making our rounds we were approached by members of the Grand Army of the Republic, members of the Civil War, as well as members of the Spanish-American War, asking us, if we were going to do anything to this sanitarium at all, to have these three disturbers removed, as they were annoying the patients and everybody about them.

We investigated every complaint made by these other patients against these three men above mentioned. We found the complaints against Wallich, Lacy, and Yount justified; but when we investigated the com-

plaints of Wallich, Lacy, and Yount we found them grossly exaggerated and the complaints against the governor entirely without foundation. We found their complaints groundless, with perhaps one or two little, trifling affairs, that they had so exaggerated they gave very misleading and false impressions.

After a thorough investigation of conditions and of the complaints, we did not find one thing that reflected in any way on the governor or any other officer of the sanitarium. The investigation showed that the food and treatment received by the patients not only in the wards but in the cottage, was such as their condition needed. In going through the wards we only found one complaint against the food; that was from a soldier who complained that he was not served meat. The nurse refused to give him meat on account of the doctor's orders. The doctors had ordered that no meat be served to this man, because he had kidney and stomach disease, but substitutes had been ordered instead of meat. We also investigated the complaints about shortage of food and found that these complaints were not justified.

We searched everywhere for proof of the statements about mistreatment, abuses, and shortage of food, and we could find nothing whatever to justify the charges. We sent through the wards also and asked the patients individually, and they stated that they were well treated, well fed, and that they were satisfied.

The braggadocio conduct of Wallich and the other two men before the committee, together with the evidence of the other patients examined, showed that they—Wallich, Lacy, and Yount—were not only disgruntled socialists but struck us as being a type of anarchists. These three men were very bitter against the governor.

We found that the patients all received the most considerate and kindly treatment from the governor and the other officers, and that this was universally appreciated outside of this trio of men.

We found that these three men were putting up a fight to get the national homes placed under the War Department, and they were willing to resort to any measure, however unfair or unjustified, to accomplish this end. They had even gotten up petitions, addressed to Congress, requesting the homes to be placed under the War Department, but the other men refused to take any stock in such petitions.

The second member of this committee—Frank F. Jones—made a second trip here on July 24, 1914, he having come here very sick, for treatment. He received the very best of treatment and found the food better prepared and of a better quality than in any institution he had ever been in, and he neither saw nor heard of any neglect or mistreatment from any employee except as it came from these three men in question and two or three of their followers.

There have been two other men there, by the names of Hale and Benham, who are of the same type of men as Wallich, Lacy, and Yount; in fact, they seem to be prompted by the same man—Wallich, who is still in town, and attempts to get other men dissatisfied and to write letters to their Congressmen condemning the present management of the homes.

MELCHOR GIST COCKEY, A. M., M. D.,

Chairman, Salina, Kans.

FRANK F. JONES,

Member, Youngstown, Ohio.

UNITED SPANISH WAR VETERANS,

Committee on Soldiers' Homes.

STATEMENT OF A. W. RIERDON, MAYOR OF HOT SPRINGS, S. DAK.

HOT SPRINGS, S. DAK., September 29, 1914.

Mr. JAMES E. MATTISON,

Battle Mountain Sanitarium.

DEAR SIR: In answer to your inquiry regarding the conduct and general reputation of one Anthony Wallich, who has been a resident of our city since his discharge from the Battle Mountain Sanitarium, would say that he is generally regarded in a very unfavorable light. He appears to be very much of an agitator and seems to be imbued with the idea that the world was created for his special benefit. He has been arrested and brought before our police court twice—once for assault and once for disregarding ordinance relative to soliciting at the Union Depot. In the first instance he was tried by a jury and found guilty and fined \$25 and costs, and in the second instance, at my solicitation, he was discharged. However, from what I can learn, he gets in bad with almost everyone with whom he comes in contact.

Very truly, yours,

A. W. RIERDON, Mayor.

STATEMENT OF CHIEF OF POLICE, HOT SPRINGS, S. DAK.

HOT SPRINGS, S. DAK., September 29, 1914.

To the PRESIDENT OF THE BOARD OF MANAGERS,

National Soldiers' Homes, New York City.

GENTLEMEN: Having been asked to make a statement in regard to the case of city of Hot Springs v. George Kazmer, I desire to set out what I know about the case. I did not serve the warrant or make the arrest of Kazmer. The arrest was made by the night policeman. The trial was held before the police judge, and I served all the subpoenas asked for by Wallich, Lacy, or Yount; and all the witnesses that they asked for appeared. Kazmer objected to the jurisdiction of the court, and when his motion to dismiss the case was overruled he became stubborn and refused to put any defense, but said he would appeal the case. The judge then fined him \$5 and costs. Kazmer consulted an attorney, and upon the advice of the attorney paid the fine and costs, because it was much cheaper and easier to pay this small fine rather than appeal to circuit court.

On or about April 10, 1914, Wallich appealed to me for food and shelter, and I provided him, first, with a good, frame house in good repair; I provided him with plenty of fuel and provisions. Through the dissatisfaction and continual complaint of Wallich the owner of the house and the neighbors compelled me to move Wallich and his friends from that house. I then moved them to a log cabin at the corner of Minnekahta Avenue and Happy Hollow, less than a block from the Hot Springs Hotel and bathhouse. I there gave them fuel and provisions. This house is in good repair, and was occupied until very shortly before they moved in. This log cabin was suggested by the county physician. Because of the disturbance created by Wallich the people who lived in the neighborhood complained to the city council, which declared them to be a nuisance and ordered them to be moved.

I waited upon the men every day that they were here to see that they had fuel, provisions, and bedding. The county physician attended them faithfully and took good care of them, as he lived in the same block in which the log cabin was situated.

Lacy and Yount, after they were declared to be a nuisance, were, at their own request, provided transportation to their homes in Connecticut and Illinois.

Wallich went to work for the Hot Springs Motor Co., and on June 9 complaint was made that he was driving an automobile for this garage company and was charging double rates from visiting members of the Elks lodge who were in the city. The complaints were so numerous and persistent that the company investigated and discharged him. Then he went to work soliciting for hotels and bathhouses here and caused continual trouble with the automobile drivers, hackmen, hotel men, and bathhouse men.

On September 4 I arrested him for assault and battery upon one of the automobile men, and upon trial before a jury in police court he was found guilty and fined \$15 and costs; he was defended by a good attorney and had all the witnesses he asked for. On September 20 he was again arrested for a violation of the city ordinances. He has made me more trouble than any other man who has been in the city during the past three years that I have been chief of police.

Very truly,

GEORGE H. MCCracken,
Chief of Police.

STATEMENT OF POLICE JUSTICE, HOT SPRINGS, S. DAK.

HOT SPRINGS, S. DAK., October 6, 1914.

To the President of the Board of Managers, National Soldiers' Homes,
New York City.

DEAR SIR: Having been requested to make a statement of what I know about Anthony H. Wallich and his troubles, I desire to say that I never knew him until he began to work at the Hot Springs garage and was driving an automobile for the garage. Then I heard about him being discharged from the garage and starting to work as a solicitor for hotels and bathhouses.

After a time he was arrested for committing an assault and battery, and, upon trial being held before me as police justice of the peace, he was found guilty by a justice jury and sentenced by me to a fine of \$15 and costs and is now under bonds to appear at circuit court, he having appealed his case.

At the trial there was considerable evidence that he has been a trouble maker, and he has been arrested once since for a violation of the city ordinances. I consider that he had a fair trial, and was well represented by his attorney, who made out as good a case as was possible under the facts. He has been to me at various times to have other people arrested, but, in my judgment, he never had a case with any merit in it, and I refused to issue any warrant for him, except once, and that time I was compelled to dismiss the case upon hearing it.

Very truly,

J. N. JONES,
Police Justice of the Peace.

REPORT OF MAJ. W. P. JACKSON, INSPECTOR GENERAL UNITED STATES ARMY, DECEMBER 10, 1914, ON BATTLE MOUNTAIN SANITARIUM.

While making the annual inspection of this branch I was directed to make a special investigation and report of the cause of discharge of three members on April 6, 1914.

The evidence showed that these three members were constantly making unjustified complaints as to the food and treatment received by them; that they referred in disrespectful terms to other patients who declined to join them in these complaints; that they used obscene language in the presence of a female nurse; and referred to the governor and other officials in a most disrespectful manner, applying to them vile and opprobrious epithets (one of the three members had been recommended previously for discharge for this offense); and that their actions were injuriously affecting the health of other patients. Their complaints were found not to be justified, and their discharge was, in my opinion, right and proper, and was for the best interests of the membership as a whole.

Furthermore, the members present at date of the investigation practically unanimously expressed themselves as being satisfied with the food and treatment received by them at the branch.

STATEMENTS OF PATIENTS.

STATEMENT OF CORNELIUS MURPHY.

Q. You are a patient in ward B, the tubercular ward?—A. Yes.

Q. How long since you first came?—A. Nine months this time. I first entered here in 1911.

Q. Do you know Edward Hale?—A. Yes, sir.

Q. He is in the same ward that you are in?—A. Yes.

Q. What do you know about Edward Hale's character?—A. From what I have seen of him I consider him to be a man of a low type, what some would call a bum. He tries in every way to deceive the officers and doctors by feigning conditions that do not exist. One of the other patients, Benham, when he first came, was told by Hale that he should be in bed when the doctors were around, so they would think he was sicker than he really was. Hale has the influence of poisoning some of the susceptible patients' minds by his influence over them. The other members, who know his character and disposition, avoid him. I regard him as an agitator. He hates anyone in authority who insists on his doing the right thing. He is given to exaggerating or misstating facts. He made the statement at the table that he was drunk when he enlisted in the Army, that he would not have enlisted if he hadn't been, and that he was sorry that he ever enlisted. Some two months ago he asked for a job as ward man. He was drinking all the time he was on as ward man, and another man had to be put on in his place at that time.

Q. Do you consider Hale reliable?—A. No, sir. He is now having meetings with a man by the name of Wallich and writing letters right along, but what they are about I don't know.

STATEMENT OF ROLLIN T. BOBO.

Q. You are a patient at the tubercular cottage?—A. Yes, sir; I came here December 27, 1913.

Q. Were you there at the time Anthony H. Wallich, James H. Lacy, and John H. Yount were patients at the cottage?—A. Yes, sir.

Q. Did you receive everything you needed for diet during that time?—A. Yes, sir; plenty.

Q. Have you since?—A. Yes, sir.

Q. Did you ever know of any other patients there not getting all they wanted?—A. No, sir.

Q. Did you hear any complaint from any other patients besides the three men mentioned above?—A. No, sir; I never heard anyone else complain.

Q. Did you see any grounds for their complaint?—A. Not in the least that I could see, and I was there as a patient myself, and I was in worse physical condition than either one of these three men.

Q. What kind of a person was Anthony H. Wallich?—A. I sometimes thought he was crazy; then, after watching him, I decided he was a

chronic agitator with a continuous grouch on. He is a very malicious person, and was very bitter against anyone who did not agree with him. He kept up an agitation at the cottage all the time, and that was not good for the other men.

Q. Did you ever know of the governor denying any patient any reasonable request that was within his power to grant?—A. No, sir.

Q. Were you at the T. B. cottage the day of the Kazmer-Lacy trial?—A. Yes, sir.

Q. Did the governor refuse to allow you or any other person to attend the trial?—A. No, sir.

Q. How has everything been at the T. B. cottage since these men were let out?—A. The men have all been better contented in every way, and I have heard no agitation or complaint there since these men were let out.

Q. These three men, then, were constant agitators and complainers?—A. Yes, sir. The only time they were not was when they were asleep. I saw no ground whatever for their complaints.

Q. Did you ever see any grounds for any complaint of shortage of food or food being out?—A. No, sir; there was an endeavor to vary the diet, and when one article of diet was not served something else was served in its stead, and we always had plenty.

Q. What object did these three men have in keeping up their agitation and complaints?—A. Their object seemed to be to get the other men discontented and to join in their agitation. They wanted the national homes turned over to the War Department it seemed.

STATEMENT OF JAMES V. CHENOWETH.

Q. You are a patient at the tubercular cottage?—A. Yes, sir; I have been here since a year ago last August.

Q. Were you there at the time Anthony H. Wallich, James H. Lacy, and John H. Yount were patients at the cottage?—A. Yes, sir; I was wardman there then.

Q. Did you receive everything you needed for diet during that time?—A. Yes, sir.

Q. Have you since?—A. Yes, sir.

Q. Did you ever know of any other patients there not getting all they wanted?—A. No, sir.

Q. Did you hear any complaints from any other patients besides the three men mentioned above?—A. Not that I heard.

Q. Did you ever see any grounds for their complaints?—A. I did not.

Q. What kind of a person was Anthony H. Wallich?—A. A great nuisance to everybody he came in contact with at the cottage. These three men were persistent agitators, and this was a great annoyance to the other patients. They were abusive to the doctors, nurses, officers, and the board of managers, to their backs.

Q. Did you ever know of these men not getting all they needed and everything that the other patients had?—A. No, sir. I never knew anyone not to get all they needed to eat. I have never seen a meal since I have been here that there was not plenty for everybody.

Q. Did you ever know of the governor denying any patient any reasonable request that was within his power to grant?—A. No, sir.

Q. Were you at the T. B. cottage the day of the Kazmer-Lacy trial?—A. Yes, sir.

Q. Did the governor refuse to allow you or any other person to attend the trial?—A. No, sir.

Q. How has everything been at the T. B. cottage since these men were let out?—A. Been fine; couldn't have been better. The men have been contented, and I have heard no complaining since these three men were let out. All the men at the cottage thought the board of managers did the right thing and the only thing to let these men out.

Q. Were these men complainers?—A. Yes; they complained almost constantly about something—about the meals or treatment or something else.

Q. Was there any grounds for their complaints?—A. No, sir; none whatever; the doctors and the governor are always glad to have anything corrected that is not all right.

Q. What object did those three men have in keeping up their agitation and complaints?—A. They seemed to be general malcontents and had their minds made up that they wanted the national homes put under the War Department, and Wallich got up a petition to that effect for the rest of us to sign, and he got very angry at the rest of us who would not sign it. We told Wallich that we were satisfied with the present management and that we did not want to see the homes go under the War Department.

STATEMENT OF GEORGE DOAN.

I have been at Battle Mountain Sanitarium, quartered in the tubercular cottage for treatment, for eight months. I have been thoroughly satisfied; have had as good treatment as could be found anywhere. I have always been thoroughly satisfied with the meals; have always had all I wanted to eat. Our food has always been good, and at any time that I found anything wrong with anything I have spoken to the doctor and he has always corrected it.

I was at the tubercular cottage at the time Wallich, Lacy, and Yount had the trouble in March, 1914. I found these three men to be undesirable citizens all the way through; they were constant and persistent agitators. I always considered these men very unreasonable and unfair in every way. I think men like they are should be segregated and not be allowed to be thrown with the rest of the men, who are well disposed.

I never at any time while these men were here for treatment saw the least disposition on the part of the governor to be unfair or unjust to these men, or anyone else.

I have never made any request of the governor that was not cheerfully granted, and have never known any other patient to make any reasonable request that was refused if in the governor's power to grant it.

I was at the cottage at the time of the trouble between Lacy and Kazmer, but did not see it.

Q. Did the governor refuse to allow anyone to go to the trial between Lacy and Kazmer?—A. No, sir. If any witnesses that they called for didn't go, it was because they didn't want to go and not because the governor refused to excuse them. We all have standing passes to go and come as we wish anyway, and the governor did not revoke any of our passes.

Q. What do you know about these three men's conduct among the men?—A. They were such agitators and disturbers that they were not fit companions to be among other men, and I think men like they are should be segregated.

Q. How have conditions been since these three men, Wallich, Lacy, and Yount were dropped from the rolls?—A. Just splendid. Everything has run without any trouble ever since, and all the men have been satisfied and contented, and I have not heard any complaints since

these men were let out. I have always found the governor approachable, and he has never refused me a hearing and has never refused any request I have made of him.

Q. Have you ever known the governor to be unkind or unjust?—A. I have never known of the governor being unkind or unjust to any of the men here.

Q. Have you always found the governor to be sympathetic toward all the patients?—A. I think the governor is the most democratic and just man I have ever known. I think he is remarkably so. I think he does remarkably well in his administration. I don't know of an institution anywhere where you could find as good treatment and as great kindness as is shown by him. You get as great consideration as you would in a private institution where you were paying for it from your own pocket.

STATEMENT OF ANDREW LOEBNER.

Q. You are a patient in the tubercular ward of this sanitarium?—A. Yes, sir.

Q. How long have you been a patient here?—A. About 11 months this time.

Q. Have there been any complaints of any kind from any patients there?—A. There were two men by the name of Hale and Benham who did some complaining.

Q. Were these complaints justified in your judgment?—A. No, sir; they were not.

Q. Were there any complaints from any other patients in this ward?—A. Yes; they complained about Hale using bad language and keeping up an agitation about the ward.

Q. What kind of men were Hale and Benham?—A. Hale was no man at all; he was always agitating and making complaints that were not justified. Benham was a disturber, especially when he was drinking. At such times he disturbed the other patients in the ward. He seemed to be influenced by Hale very much when he was sober and was very disagreeable.

Q. Were these two men disagreeable to the nurse and ward men?—A. Hale was, and Benham was in so far as he was influenced by whisky and by Hale.

Q. Did you ever hear them use any disrespectful language about anyone?—A. Yes, sir. I heard Hale use some very vile language about the doctors and the governor; language that is too vile to repeat. This happened often. I heard this one time in the presence of the female nurse. Hale is a very low type of a man and has no honor about him and never has a good word for anyone.

STATEMENT OF CLARENCE M'MILLAN.

Q. You are a patient at the tuberculosis cottage?—A. Yes; have been for 13 months.

Q. Were you there at the time Anthony H. Wallich, James H. Lacy, and John H. Yount were patients at the cottage?—A. Yes, sir.

Q. Did you receive everything you needed for diet during that time?—A. Yes. I have had all I wanted ever since I have been here.

Q. Have you since?—A. Yes, sir.

Q. Did you ever know of any other patients there not getting all they wanted?—A. No, sir.

Q. Did you hear any complaints from any other patients besides the three men mentioned above?—A. No; except two other men, who were of the same type of people. But since these men left there has been no complaints at all, and everybody has been satisfied.

Q. What kind of a person was Anthony H. Walsh?—A. I consider him a very dangerous man and nothing but an agitator. If he were to come back I would leave at once. He is the most contemptible person I ever knew. He was very vindictive and bitter against anyone who would not agree with him and side in with him in his agitations. He always made things very disagreeable for all of us, and he was therefore very much disliked by everyone.

Q. Was he considered truthful by the other patients at the cottage?—A. No, sir.

Q. Did you ever know of these men not getting all they needed, and everything that the other patients had?—A. No, sir.

Q. Did you ever know of the governor denying any patient any reasonable request that was within his power to grant?—A. No, sir.

Q. Were you at the T. B. cottage the day of the Kazmer-Lacy trial?—A. Yes, sir.

Q. Did the governor refuse to allow you or any other person to attend the trial?—A. No, sir. Everyone who wanted to go went.

Q. How has everything been at the T. B. cottage since these men were let out?—A. Everything has been very pleasant, and everybody has been satisfied. It has been like a different place entirely since those three disturbers were let out, and we are all contented. If these men had been allowed to stay here, the rest of us couldn't have stayed. All of us at the tubercular cottage thought that the board of managers did the right thing in dropping these men from the sanitarium.

STATEMENT OF CLEMENTINE SCHWARZER, A COOK.

Q. Please state what time you have been on duty as cook at the tubercular cottage?—A. From September, 1912, to December 15, 1913.

Q. Were there three patients there by the name of Wallich, Lacy, and Yount?—A. Yes, sir.

Q. Were these men in the habit of making complaints?—A. Yes, sir.

Q. Have you ever known any just complaints by either of these men not to be corrected?—A. No, sir.

Q. Did you ever hear these men use profane or indecent language?—A. Yes, sir; very much.

Q. Were these men given the same consideration and diet as other patients at the cottage?—A. Yes, sir; in every particular.

Q. Was there any complaint from any other patients down at the cottage besides these three men?—A. I never heard of any.

Q. Were these men ever mistreated or abused by any employee to your knowledge while you were there?—A. No, sir.

Q. If there had been any abuse or mistreatment, you would have known of it, would you not?—A. Yes, sir. There was some trouble between Lacy and Kazmer after I left as cook.

Q. What kind of men did you consider these three?—A. They were chronic kickers and agitators, and were always making everything very unpleasant for everybody present by their constant agitation.

Q. Did they in any way make your work unpleasant while you were cooking at the cottage?—A. Yes, sir; by their complaining.

Q. Did their agitation, etc., have anything to do with your resigning as cook at the cottage?—A. Yes, sir; it was on account of these three men that I quit.

Q. How do conditions compare at the cottage now with what they were when these three men were there?—A. It is such a difference that it is not like the same place. Everything is very pleasant now, and

all the patients seem to be very contented. There is no complaining or agitation at the cottage by anybody. I would not cook there again under any considerations if these three men were there.

STATEMENT OF MRS. MARJORY GILCHRIST, TRAINED NURSE.

Q. What time have you been on duty here as trained nurse?—A. Have been here three different times. The second time I was here from June, 1913, to February, 1914.

Q. Were there three patients at the tubercular cottage by the name of Wallich, Lacy, and Yount when you were there on duty?—A. Yes, sir.

Q. Were these men in the habit of making complaints?—A. Yes, sir; they were very much given to complaining and agitating.

Q. Have you ever known any just complaint by either of these men not to be corrected?—A. I have not.

Q. Were these men given the same consideration and diet as other patients at the cottage?—A. They were.

Q. Were there any complaints from any other patients besides these?—A. No, sir; none to my knowledge.

Q. Were these men ever mistreated or abused by any employee to your knowledge?—A. Never to my knowledge. I never knew the ward men to be abusive to any patient.

Q. What kind of men did you consider these three men?—A. I considered them the worst type of agitators, constant complainers. Were very disagreeable and could not be pleased. They were in the habit, too, of using disrespectful language about the board of managers and the officers of the home.

Q. Did they make it unpleasant for the other patients by their agitation and complaints?—A. They did.

Q. How do conditions at the cottage compare with what they were when these men were there?—A. Things are so very much better that it is hard to make a comparison. All agitation and complaints seemed to leave when these three men left.

Q. Did Wallich or any of these men ever make any disrespectful or untrue remarks about you?—A. Yes; one of the men, who was influenced by Wallich, a Mr. Davis, made the statement that I said that I left the sanitarium myself because I was displeased with the management. This statement was absolutely untrue. I made no such statement. I was thoroughly satisfied at the sanitarium, and I went away not because I was dissatisfied but because I hoped to make more money outside. I had a widowed mother to support and wanted to make all the money I could to help take care of her. I saw no grounds for these men's complaint against the governor whatever.

STATEMENTS OF CITIZENS OF HOT SPRINGS, S. DAK.

THE HOT SPRINGS COMMERCIAL CLUB,

Hot Springs, S. Dak., October 16, 1914.

Gov. JAMES A. MATTISON,

Battle Mountain Sanitarium, Hot Springs, S. Dak.

MY DEAR SIR: I am inclosing herewith a slight testimonial which the officials of Hot Springs have asked me to hand to you relative to the controversy with Anthony H. Wallich. No attempt has been made to ask anyone to sign this, except those holding official positions in Hot Springs, except the president and vice president of the Stockman's Bank, with whom so many of the inmates of the sanitarium do their banking business. We all realize the undesirability of having this man Wallich in the city, as he is continually stirring up strife wherever he goes. We also hope that this slight testimonial on our part will be of advantage to you if there is any question as to whether or not anyone would require you to make any defense against the scurrilous attack that this man Wallich is continually making upon you and others in the city.

Very truly, yours,

ELMER R. JUCKETT,
President Commercial Club.

We, the undersigned, citizens of Hot Springs, S. Dak., and vicinity, do hereby certify that we know Anthony H. Wallich, who was expelled from the National Sanitarium for Disabled Volunteer Soldiers at Hot Springs, S. Dak., during the early spring of this year. We have known him since that time, and he has been employed at various places in Hot Springs. From our knowledge of said Wallich we know him to be a trouble maker, ungentlemanly, unreliable as to truthfulness and integrity, and a very undesirable person to have in the vicinity.

We further certify that we are well acquainted with Gov. James A. Mattison, of Battle Mountain Sanitarium, and we know him to be a true gentleman, reliable in all his statements, and we believe that he has made and is one of the best governors that the sanitarium has had since it was instituted in Hot Springs, S. Dak.

E. R. Juckett, President Commercial Club; C. A. Stewart, Banker and City Treasurer; A. W. Rierdan, Mayor; F. D. Hummel, Alderman, First Ward; J. N. Jones, Police Justice of the Peace; J. Parks, State Senator, Forty-second District, South Dakota; J. A. Stanley, Vice President Stockman's Bank; J. H. Gillespie, Alderman, Second Ward; Bruce E. Lewis, Alderman, Third Ward; John Mueller, Chief of Fire Department; Frank A. Little, City Attorney; George McCracken, Chief of Police; J. J. March, President Stockman's Bank, Hot Springs, S. Dak.; C. T. C. Lolllick, Alderman, Second Ward; S. Hill, Alderman, Fourth Ward; C. W. Halls, Alderman, Fourth Ward.

STATEMENT OF REV. DWIGHT D. TALLMAN.

To whom it may concern:

Owing to the unfortunate, and as I consider it, unjust criticism now being made of the Battle Mountain Sanitarium and its management, I feel in duty bound to make this statement.

As pastor of the Presbyterian Church of Hot Springs, which position I have occupied for the past five years, I have had occasion to go in and out of the above-named sanitarium, call upon the sick, visit with the men, and, with friends visiting the city, go through the institution on many different occasions, so that I have seen the institution under all conditions, and it is a pleasure to be able to say, being myself a Spanish-American veteran, that I believe my comrades are being well cared for.

The institution itself is equipped in the latest and most modern equipment, with every convenience for comfort, care, and entertainment.

On account of the criticism I have taken occasion to talk with a number of the men and not one has expressed anything but praise for the management, with the exception of one of the three men who are the source of the criticism, and my frank opinion of his statements is that he is one of those chronic kickers who, having everything fur-

nished that a thankful Government can furnish free of charge, still kicks for the want of something else to do.

His main objection seemed to be that there were some civilians employed, and he being a veteran could not secure a position. To which I replied that undoubtedly should he qualify he would receive courteous treatment and preference.

Some of the sworn criticisms of this objector are absurd and false. I have known Gov. James A. Mattison ever since he has been in charge of the sanitarium, and I have found him always a courteous Christian gentleman. He has spoken only in the kindest way of the men under his care. He has spoken in no uncertain tone against the use of liquor, and has told me repeatedly that it is the cause of most of the trouble he has had in discipline.

I regret exceedingly that a man whom I must call comrade is so ungrateful for the care and the service he has received, and that he has failed to exhibit the spirit and the qualities of a real soldier.

I trust that no one will accept the criticism now being circulated of the sanitarium and its governor without first ascertaining the facts in the case, which will without question reveal the true situation.

DWIGHT D. TALLMAN,
Pastor Presbyterian Church,

Ex-Chaplain Jack Foster Camp, Spanish-American War Veterans.

JACK FOSTER CAMP, No. 3,
UNITED SPANISH WAR VETERANS,
DEPARTMENT OF SOUTH DAKOTA,
Hot Springs, S. Dak.

To whom it may concern:

In view of the fact that many letters have been written to individual Congressmen condemning Gov. James A. Mattison and Treasurer and Quartermaster William H. Stanley, of Battle Mountain Sanitarium, National Home for Disabled Volunteer Soldiers, Jack Foster Camp, No. 3, United Spanish War Veterans, Department of South Dakota, has taken upon itself to write this letter to vindicate the characters of these two men.

Never in the history of this institution have the affairs of the two offices mentioned, as far as members of the sanitarium are concerned, been administered better; never have the members of this branch of the national homes been treated better; never have they had more to eat nor better clothing to wear; and the medical treatment by the governor and surgeon could be no better in the world.

Both Gov. Mattison and Treasurer and Quartermaster Stanley are perfect gentlemen, and both exercise the kindest and best of treatment to all members of this sanitarium.

Respectfully submitted,

Approved.
[SEAL.]

J. E. TRANTLA, Adjutant.

EARL H. KLOCK, Commander.

VOTE OF CONFIDENCE IN COL. JAMES A. MATTISON, GOVERNOR AND SURGEON BATTLE MOUNTAIN SANITARIUM, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS, BY MEMBERS OF BATTLE MOUNTAIN SANITARIUM.

To the honorable Members of the United States Senate and House of Representatives, Washington, D. C.

HONORABLE SIRS: Being fully aware that reports of a sensational nature against the management of Battle Mountain Sanitarium are frequently being forwarded to individual Members of your respective bodies from a few members and ex-members of said institution, and recognizing, as we do, that an injustice has been perpetrated not only upon our governor and surgeon, Col. James A. Mattison, but upon your individual Members, who have given recognition to such reports and complaints, by having same published in the CONGRESSIONAL RECORD, together with opinions expressed thereon, without said individual Members first investigating the status of said reports and complaints, thereby publicly and unfairly assailing the character, ability, and standing of the said governor and surgeon, Col. James A. Mattison, without just cause, that we, the undersigned disabled volunteer soldiers, representing the service of both the Civil War—1861 to 1865—and the War with Spain—1898 to 1902—all being members of said Battle Mountain Sanitarium, do hereto attach our signatures to this vote of confidence in the said governor and surgeon, Col. James A. Mattison, knowing, as we do, that an injustice to him would not be recognized by your honorable Members were you to know his character, ability, and standing; and we humbly pray for recognition by your honorable Members.

Very respectfully,

(Signed by 205 members of Battle Mountain Sanitarium.)

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In all, National Home for Disabled Volunteer Soldiers, \$3,825,500.

Mr. MANN. Mr. Chairman, the total was not corrected a little while ago in the item for the Battle Mountain Sanitarium.

Mr. FITZGERALD. We shall get general authority to correct all totals.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

State or Territorial homes for disabled soldiers and sailors: For continuing aid to State or Territorial homes for the support of disabled volunteer soldiers, in conformity with the act approved August 27, 1888, including all classes of soldiers admissible to the National Home for Disabled Volunteer Soldiers, \$1,100,000: *Provided*, That no part of this appropriation shall be apportioned to any State or Territorial home that maintains a bar or canteen where intoxicating liquors are sold: *Provided further*, That for any sum or sums collected in any manner from inmates of such State or Territorial homes to be used for the support of said homes a like amount shall be deducted from the aid herein provided for, but this proviso shall not apply to any State or Territorial home into which the wives or widows of soldiers are admitted and maintained.

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

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. I ask unanimous consent that the gentleman from Massachusetts [Mr. PAIGE] may proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Massachusetts [Mr. PAIGE] may proceed for five minutes. Is there objection? There was no objection.

The CHAIRMAN. The gentleman from Massachusetts [Mr. PAIGE] is recognized for five minutes.

Mr. PAIGE of Massachusetts. Mr. Chairman, in the discussion yesterday on the valuation of railroads it was charged by some Members that the President influenced the Interstate Commerce Commission in the advance of rates for the railroads. I do not know whether this is true or not, but I want to say if it is true that the historian of the future will record the result of that act of the President as one of the most beneficial acts of his administration.

The country may survive for a time the present tariff policy, but the disaster to the country will be far greater, in my judgment, if the antagonism to railroads does not cease.

I have no doubt that many Members of this House were elected on a wave of antagonism to corporations, and particularly to the railroads, but I have no hesitation in predicting that when the people of the country have an opportunity to express themselves again on this question there are many men occupying places in this House that know them now that will know them no more. [Applause on the Republican side.]

The CHAIRMAN. The pro forma amendment is withdrawn, without objection. The Clerk will read.

The Clerk read as follows:

Depredations on public timber, protecting public lands, and settlement of claims for swamp land and swamp-land indemnity: For protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; of protecting public lands from illegal and fraudulent entry or appropriation, and of adjusting claims for swamp lands, and indemnity for swamp lands, including not exceeding \$15,000 for clerical services in bringing up and making current the work of the General Land Office, \$475,000: *Provided*, That agents and others employed under this appropriation may be allowed per diem in lieu of subsistence, pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, at a rate not exceeding \$3 each and actual necessary expenses for transportation, including necessary sleeping-car fares, except when agents are employed in the District of Alaska they may be allowed not exceeding \$6 per day each in lieu of subsistence.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I know we have been accustomed to authorize the payment of \$6 a day for subsistence in Alaska, but we have had so many reforms in Alaska in the last few years that it seems to me it is about time we cut down that allowance, so that it shall not be \$6 a day any more. We pay a man a good salary, and then we pay him another good salary and call it subsistence.

Mr. FITZGERALD. All of the departments state that conditions in Alaska are so entirely different from those in continental United States that the limitation fixed for the United States does not cover the situation in Alaska. It has been stated before the committee that there are places in Alaska where it costs 75 cents for a ham sandwich and similar prices for other articles of food.

Mr. MANN. We hear those tales, you know.

Mr. FITZGERALD. The committee are very gullible.

Mr. MANN. But we are told that they have so far developed Alaska agriculturally that they can now raise crops of all kinds.

Mr. GOOD. Even strawberries.

Mr. MANN. That they can produce immense crops of wheat and various other food products, including strawberries, currants, and various other small fruits. Now, I think that possibly when the allowance of \$6 per day was provided it may have been reasonable, but Alaska is a little nearer to us now than it was then.

Mr. FITZGERALD. A little dearer to us.

Mr. MADDEN. Since they have got the railroad up there.

Mr. MANN. Unless the gentleman is willing to reduce this to \$5 a day, I shall make a point of order against it, and it is subject to a point of order.

Mr. FITZGERALD. If the gentleman makes the motion to reduce it, I shall not oppose it. This was increased in the Senate, and we were overpowered in conference.

Mr. MADDEN. Since they have got the railroad up there—

Mr. FITZGERALD. They have no railroad. We have only authorized one.

Mr. MADDEN. I thought they had built one.

Mr. FITZGERALD. Oh, no; that is in the future.

Mr. MANN. I move to strike out, in line 4, page 90, the figures "\$6" and to insert "\$5."

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

The Clerk read as follows:

Page 90, line 4, strike out "\$6" and insert "\$5."

The amendment was agreed to.

The Clerk read as follows:

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

Mr. HAWLEY. I move to amend by striking out, in lines 14 and 15, page 90, the words "Circuit Court of Appeals for the Ninth Circuit" and inserting in lieu thereof "Supreme Court of the United States."

The suit has been transferred to the Supreme Court and is now pending there.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 90, lines 14 and 15, strike out the words "Circuit Court of Appeals for the Ninth Circuit" and insert "Supreme Court of the United States."

Mr. FITZGERALD. Mr. Chairman, I wish to inquire of the gentleman from Oregon whether the case has now been taken into the United States Supreme Court?

Mr. HAWLEY. A week ago Monday the Supreme Court ordered the record to be transferred here.

Mr. FITZGERALD. Will the gentleman state to the committee what was the decision of the circuit court of appeals—whether it sustained the Government or not?

Mr. HAWLEY. The circuit court of appeals failed to pass on the matter at all, and sent a statement here to the Supreme Court, asking certain questions. The Supreme Court, instead of remanding it back to the circuit court, ordered the whole record to be sent here and the case to be tried here.

Mr. FITZGERALD. As long as the case has been transferred to the United States Supreme Court the amendment ought to be adopted.

Mr. MADDEN. What is this money used for?

Mr. HAWLEY. There are about 2,300,000 acres involved in the suit. The lands are all the odd-numbered sections within 30 miles of the main line of the Southern Pacific from Portland to San Francisco. They are scattered all through the forest reserves, the public lands of the United States, and privately owned lands. The Government and the Forest Service provide for protection on those lands. In the preceding pages in this bill we provide for protection on the public lands. The State of Oregon compels the people who own timber at their own expense to provide protection.

Mr. MADDEN. This money is to be used for the prevention of fires?

Mr. HAWLEY. For the prevention of fires. There were about 6,000 fires on the lands last year, and all of them were found by the rangers and extinguished without very great damage.

Mr. MADDEN. How many acres did the gentleman say there were?

Mr. HAWLEY. Two million three hundred thousand acres involved in this suit, for which this sum is to be appropriated to protect it from fires.

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

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

The Clerk read as follows:

Hearings in land entries: For hearings or other proceedings held by order of the Commissioner of the General Land Office to determine the character of lands; whether alleged fraudulent entries are of that character or have been made in compliance with law; and of hearings in disbarment proceedings, \$35,000: *Provided*, That where depositions are taken for use in such hearings the fees of the officer taking them shall be 20 cents per folio for taking and certifying same and 10 cents per folio for each copy furnished to a party on request.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. Does this increase or decrease the amount now charged for taking depositions?

Mr. FITZGERALD. The statement was made that at present there is considerable confusion as to what the charge is. Where there is a State law providing a rate, that rate controls, but it varies in particular States. In some cases where there is no fee law it comes under the Federal act, which provides only 10 cents for taking and reproducing, and that is stated to be insufficient, that it is impossible to get the depositions taken for that price.

Mr. MANN. This amounts to about 50 cents a page and 25 cents a page for a copy.

Mr. FITZGERALD. Well, it depends on the size of the page. A legal-cap page I think would contain about two and a half folios.

Mr. MANN. It looks like rather a high charge. It would be a high charge if somebody was taking a great many depositions, especially 25 cents a page for the copy.

Mr. FITZGERALD. Ten cents a folio is the legal rate for a copy in my State.

Mr. MANN. Anybody who goes into a lawsuit in New York knows how quick money disappears.

Mr. FITZGERALD. This is for the great Western States, where they charge excessive prices for everything. If they kept within the prices of New York and Chicago, they would show a commendable restraint. The commissioner says that where the rate is 10 cents they can not get the depositions taken.

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

The Clerk read as follows:

Opening Indian reservations (reimbursable): For expenses pertaining to the opening to entry and settlement of such Indian reservation lands as may be opened during the fiscal year 1916: *Provided*, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively, \$15,000.

Mr. MONDELL. Mr. Chairman, I move to amend, on page 91, line 20, after the word "respectively," by inserting the following:

The Clerk read as follows:

Page 91, line 20, after the word "respectively" insert the following: *Provided*, That not exceeding \$3,000 of this appropriation may be expended for clerk hire and other expenses in the General Land Office at the seat of government appertaining to the opening of said Indian reservations.

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

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

Mr. FITZGERALD. Yes; it provides for department service.

Mr. MONDELL. I do not intend to press the amendment if the gentleman has any objection to it. I want to call attention to the fact that the department made an estimate in this language, and I do not recall that when the subcommittee went over this the matter was discussed. It seems to me that inasmuch as these sums are reimbursable we ought to provide that all of the expenditures shall be reimbursable.

Now, there are some expenditures in connection with this item here in Washington, and if we had this provision the expenditure would be reimbursable. Up to within the last year these expenditures in Washington have been payable out of this item, but the comptroller very recently held that clerical services here could not be utilized for that purpose. The result is that we take from the Indian fund a reimbursable item of \$3,000 and load it onto the appropriations for the Land Office. Inasmuch as these sums are generally reimbursable, it seems to me that the entire expenditure should be reimbursable.

Mr. HAWLEY. And it would save the Government \$3,000.

Mr. MONDELL. Yes. If the gentleman from New York [Mr. FITZGERALD] will listen to the suggestion made by my friend from Oregon [Mr. HAWLEY], who puts it very patly, I think he would agree to the amendment. The amendment will save the Government \$3,000, because it makes the Indians pay the \$3,000 instead of having the Federal Government pay it. My idea is that if we had had the time to consider this in the subcommittee there would be no question about it. This is a new ruling that is loading on the Federal Treasury \$3,000 that the Indians have heretofore been paying. If the gentleman has any objection to the amendment at all, I will withdraw it.

Mr. FITZGERALD. Mr. Chairman, I hope the gentleman will withdraw the amendment.

Mr. MANN. We do not have a chance every day to save \$3,000.

Mr. FITZGERALD. We do not save anything. This is just an opportunity to put more employees here in the city of Washington.

Mr. MANN. But the employees are here now. Without this they will be paid out of the appropriation for the Land Office, chargeable to the Federal Treasury, while with this it will come out of the Indian lands which are sold.

Mr. FITZGERALD. That may be so, but I hope the gentleman will not press the amendment. I have great reluctance in expressing any doubt about any amendment that the gentleman proposes, of course, but—

Mr. MONDELL. Oh, I shall not insist upon it. I really do not understand why the chairman objects, because we are saving \$3,000 to the Federal Treasury.

Mr. FITZGERALD. I do object.

Mr. MANN. He objects to saving any money.

Mr. MONDELL. Mr. Chairman, I withdraw the amendment.
Mr. FITZGERALD. And, besides, the poor Indians must have a friend once in a while.

The CHAIRMAN. The gentleman from Wyoming withdraws the amendment, and the Clerk will read.

The Clerk read as follows:

For chemical and physical researches relating to the geology of the United States, including researches with a view of determining geological conditions favorable to the presence of deposits of potash salts, \$40,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word to make an inquiry. What have they been able to accomplish recently about the deposits of potash salts?

Mr. FITZGERALD. I have not inquired about their recent investigations. The last time I inquired they were still busy.

Mr. MANN. It is a good work, and I think they have made some progress.

Mr. FITZGERALD. Last year we inquired quite fully, and they were making some investigations that they hoped would result in discoveries that would disclose an adequate supply of potash for manufactures in this country. This year we did not inquire in regard to it.

Mr. MANN. I withdraw the pro forma amendment.

The Clerk read as follows:

In all, United States Geological Survey, \$1,355,520.

Mr. FITZGERALD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, 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. 21318, the sundry civil appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CONRY, indefinitely, on account of death in his family.

To Mr. MCGILLICUDDY, for 10 days, on account of public business.

ADJOURNMENT.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 33 minutes p. m.) the House adjourned, in accordance with the order heretofore made, until to-morrow, Friday, February 12, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of War, transmitting with a letter from the Chief of Engineers reports on preliminary examination and survey of Kootenai River, Idaho, between Bonners Ferry and the international boundary line (H. Doc. No. 1588); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

2. Letter from the Acting Secretary of the Treasury, transmitting estimate deficiency appropriation for site and commencement of post-office building at Southbridge, Mass. (H. Doc. No. 1539); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GUDGER, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 21383) to change the name of the old post-office building at Minneapolis, Minn., reported the same with amendment, accompanied by a report (No. 1396), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. VOLLMER, from the Committee on Claims, to which was referred the bill H. R. 20838, reported in lieu thereof a resolution (H. Res. 730) providing for the adjudication of certain

claims by the Court of Claims, accompanied by a report (No. 1397), which said resolution and report were referred to the Private Calendar.

Mr. POUL, from the Committee on Claims, to which was referred the bill (S. 1864) for the relief of the contributors to the Ellen M. Stone ransom fund, reported the same without amendment, accompanied by a report (No. 1398), 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. STEENERSON: A bill (H. R. 21414) to amend an act entitled "An act to regulate commerce," approved February 3, 1887; to the Committee on Interstate and Foreign Commerce.

By Mr. HARDY: A bill (H. R. 21415) to promote the upbuilding of the American merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. CRISP: Resolution (H. Res. 729) ordering 50,000 copies of a certain House document to be printed; to the Committee on Printing.

By Mr. FIELDS: Concurrent resolution (H. Con. Res. 60) tendering the thanks of Congress to Dr. Frederick A. Cook for his Arctic explorations, resulting in his reaching the North Pole; to the Committee on the Library.

By Mr. VOLLMER: Resolution (H. Res. 730) providing for the adjudication of certain claims by the Court of Claims; to the Committee of the Whole House.

By Mr. HUMPHREY of Washington: Memorial of the Legislature of the State of Washington, asking Congress to grant to the State of Washington authority to authorize the exploration of coal and oil resources and extract the same from its land, and to use so much of the surface as may be necessary therefor; to the Committee on the Public Lands.

By Mr. SCOTT: Memorial of the Legislature of the State of Iowa, requesting Congress to make investigation relative to the foot-and-mouth disease; to the Committee on Agriculture.

By Mr. MAGUIRE of Nebraska: Memorial favoring Senate joint resolution No. 180, conferring upon the State of Nebraska the right to bring action against the Federal Reclamation Service in order to have adjudicated in the courts the rights of the citizens of the State to the surplus waters of Pathfinder Reservoir; to the Committee on the Public Lands.

By Mr. PROUTY: Memorial requesting Congress to institute an investigation of the Union Stock Yards in Chicago, Ill., with reference to disease known as the foot-and-mouth disease; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 21416) granting an increase of pension to Laura E. Headington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21417) granting an increase of pension to William F. Mendenhall; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 21418) granting an increase of pension to Washington G. Marshall; to the Committee on Invalid Pensions.

By Mr. BROCKSON: A bill (H. R. 21419) for the relief of Georgia Hallman, James E. Hallman, and Margaret J. Tyson; to the Committee on Claims.

By Mr. LINTHICUM: A bill (H. R. 21420) granting a pension to Dellvenia Emmert; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 21421) granting a pension to Granderson Welling; to the Committee on Pensions.

By Mr. ROGERS: A bill (H. R. 21422) granting a pension to Mary L. Baker; 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 Mr. ALLEN: Petition of C. E. Menier, Henry Kraus, and other citizens of Cincinnati, Ohio, favoring an embargo on arms; to the Committee on Foreign Affairs.

By Mr. ASHBROOK: Petition signed by Arnold Kallmerten and 35 other citizens of Mansfield, Ohio, asking for the prohibition of the shipment of arms to the warring European nations; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petitions of August J. Hafner, William Butz, D. A. Holland, Jesse Sapp, L. D. Holland, J. N. Endress, Gottlieb Baer, John Zeigler, George C. Werner, Emil Sorge, C. A. Koller, C. E. Becker, John W. Stitt, Frank Hess, William Peters, E. F. Carl, L. Abt, W. R. Yeager, John Baer, Henry Weigand, Ernest Backer, S. R. Smouse, A. F. Peters, John Haller, G. W. Shaffer, J. A. Yon, J. M. Craig, and R. W. Francke, all of Altoona, Pa., for the passage of House joint resolution 377 to prohibit the exportation of war material; to the Committee on Foreign Affairs.

Also, petitions of George I. Meintel, Howard Meintel, E. M. Short, Thomas A. Gillespie, J. G. McCloskey, G. B. Moyers, John Janofski, James McCay, C. F. Gutwald, Frits Peterson, Thomas McCloskey, Albert Martin, Charles Wahl, H. S. Huey, H. R. Bertran, R. J. Miller, J. E. Koons, John V. Bacher, A. P. Miller, James Hallern, Andrew Basal, Harvey J. Keith, James L. Wilson, and W. R. Hancuff, all of Gallitzin, Pa., for the passage of House joint resolution 377 to prohibit the exportation of war material; to the Committee on Foreign Affairs.

Also, petitions of Deutscher Romisch Katholischer Staats Ver Bund Von, Pennsylvania, and German Roman Catholic Central Verein, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of G. Stzel, No. 131, German Beneficial Union, of Gallitzin, Pa., protesting against export of war material; to the Committee on Foreign Affairs.

Also, petition of officers and members of Branch No. 154, affiliated to St. Michael's Church, of Brownstown Borough, Pa., relative to suppression of the Menace; to the Committee on the Post Office and Post Roads.

By Mr. BALTZ: Petition of citizens of St. Clair County, Ill., against prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BURKE of Wisconsin: Petition of Rev. H. Wolter and 6 other citizens of Lomira, R. 1, Wis., asking for the passage of Senate bill 6688 or any similar measure to levy an embargo upon all contraband of war save foodstuffs only; to the Committee on Foreign Affairs.

Also, petition of Mr. L. Schliecker and 83 other citizens of Horicon, Wis., asking for the passage of Senate bill 6688 or any similar measure to levy an embargo upon all material useful in war save foodstuffs, wearing apparel, and surgical supplies; to the Committee on Foreign Affairs.

Also, petition of Hon. C. Hugo Jacobi and 252 other citizens of Watertown, Wis., asking for the passage at this session of House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548, to prohibit the sale and export of arms, ammunition, and munitions of war to any of the nations now engaged in war; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Petitions of citizens of Paterson, N. J., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. FARR: Petition of W. A. McLaughlin, Edw. C. McLaughlin, and Frank H. McLaughlin, jr., of Olyphant, Pa., and John Eibalk and John Wiesler, jr., of Philadelphia, Pa., against circulation of certain anti-Catholic periodicals; to the Committee on the Post Office and Post Roads.

By Mr. GILLET: Petitions of citizens of the second congressional district of Massachusetts, protesting against passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. GORDON: Petition of citizens of Cleveland, Ohio, favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. GRAY: Petition of Henry Brier and 26 other citizens of New Palestine, Ind., protesting against H. R. 20644, relative to excluding certain publications from the mails; to the Committee on the Post Office and Post Roads.

By Mr. IGOE: Petition of members of the Lutheran churches of St. Louis, Mo., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of Tenth Ward Improvement Association, of St. Louis, Mo., favoring an appropriation by Congress for public works; to the Committee on Appropriations.

By Mr. JACOWAY: Protest of W. J. Cameron, Little Rock, Ark., against H. R. 20780, relative to exclusion from mails of certain publications; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petitions of Russian Branch of Socialist Party of Central Falls, R. I., and Polish Branch of Socialist Party of Woonsocket, R. I., favoring legislation to provide work for the unemployed; to the Committee on Labor.

Also, memorial of City Council of Providence, R. I., relative to world federation to bring about peace; to the Committee on Foreign Affairs.

Also, petition of E. F. McKenna, of Providence, R. I., against persecution of Roman Catholics in Mexico; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Communication of Charles H. Wessels, New Britain, Conn., in re House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548; to the Committee on Foreign Affairs.

Also, petition of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

By Mr. MADDEN: Petition of several thousand citizens of Chicago, Ill., against prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAGUIRE of Nebraska: Petitions of sundry citizens of Nebraska, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petition of Club Vorwärts, of Middletown, Conn., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. METZ: Petition of physicians of Long Island, N. Y., favoring Palmer-Owen child labor bill; to the Committee on Labor.

By Mr. MOORE: Petition of Paul Schmidt, John Hagist, Henry C. Grawe, and others, citizens of Philadelphia, Pa., urging the passage of a law to prohibit the exportation and sale of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

By Mr. NEELY of West Virginia: Papers to accompany bill for relief of Granderson Welling; to the Committee on Pensions.

By Mr. PALMER: Petition of committee of priests of diocese of Scranton, Pa., in conference assembled, protesting against passage of certain publications through mails; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Easton and Allentown, Pa., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. POU: Petition of 11 citizens of North Carolina, protesting against the export of war material; to the Committee on Foreign Affairs.

By Mr. RAKER: Resolution adopted and passed by the council of the city of Alameda, Cal., at a regular meeting held February 2, 1915, protesting against any change of the present harbor lines along the Alameda side of the estuary which separates the cities of Alameda and Oakland; to the Committee on Rivers and Harbors.

Also, petition of Merchants' Association of New York, against Senate bill 6856, to provide for Government ownership and operation of vessels in the foreign trade; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Woman's Board of Trade of Massachusetts, urging passage of a law which will uphold dignity and integrity of commercial men and women; to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY of Connecticut: Petition of citizens of Meriden, Conn., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

Also, petition of New Haven (Conn.) Trades Council and Hebrew Independent League, relative to work for unemployed; to the Committee on Labor.

By Mr. STEPHENS of California: Petition of Kahn-Beek Co., Los Angeles, Cal., favoring embargo on wheat; to the Committee on Foreign Affairs.

By Mr. TALCOTT of New York: Memorial of Aaron Helmer Woman's Relief Corps, No. 125, favoring increase of widows' pensions from \$12 to \$20 per month; to the Committee on Invalid Pensions.

Also, memorial of St. John's Sick Aid Society, of Utica, N. Y., protesting against the sale of munitions of war; to the Committee on Foreign Affairs.

By Mr. THACHER: Petition of citizens of Cohasset, Mass., favoring Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. VOLLMER: Petition of 17 American citizens for the adoption of House joint resolution 377 and similar resolutions, to prohibit the export of war material; to the Committee on Foreign Affairs.

By Mr. YOUNG of North Dakota: Petition of Deutscher Verein of Jamestown, N. Dak., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.