

Also, petition of Wild Life League of Pennsylvania, favoring the Chamberlain-Hayden bill; to the Committee on the Public Lands.

Also, petition of H. Herricks, secretary Keystone Fish Co., Erie, Pa., protesting against Cary bill, H. R. 9674; to the Committee on Agriculture.

Also, memorial of Carry Chair Co. (O. L. King, treasurer), favoring H. B. 702, the dyestuff bill; to the Committee on Ways and Means.

Also, memorial of U. A. Watson and F. A. Maelme, of Erie, Pa., favoring H. R. 702, the dyestuff bill; to the Committee on Ways and Means.

Also, petition of Kalbe Fish Co. (Irwin H. Kalbe, president), protesting against House bill 5786; to the Committee on Agriculture.

By Mr. LOUD: Memorial of 18 members of Hope Grange, No. 1016, of Midland, Mich., against preparedness; to the Committee on Appropriations.

By Mr. McARTHUR: Memorial of Methodist Episcopal Church at Hood River, Oreg., favoring national prohibition; to the Committee on the Judiciary.

By Mr. McDERMOTT: Petition of John Barnard and others, of Chicago, Ill., against prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MOORE of Pennsylvania: Memorial of the Senate of Pennsylvania Presbyterian Church, United States of America, favoring peace agreement among all nations; to the Committee on Foreign Affairs.

By Mr. MORIN (by request): Memorial of Dawes Electric Sign & Manufacturing Co., of Pittsburgh, Pa., and the Pittsburgh Tin Decoration Co., of Pittsburgh, Pa., opposing prohibition; to the Committee on the Judiciary.

Also (by request), memorial of Associated Chambers of Commerce of the Pacific Coast, favoring appropriation for the use of the Geodetic and Coast Survey; to the Committee on Appropriations.

Also (by request), memorial of Pennsylvania Lumberman's Association, of Philadelphia, and the Lumberman's Exchange, also of Philadelphia, indorsing H. R. 9678, the Small bill; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of Pennsylvania Surety Co., of Harrisburg, Pa., protesting against section 2 of the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also (by request), memorial of Foreign Service Camp, No. 87, United Spanish War Veterans, of New York, favoring Senate bill 2526 and House bill 632; to the Committee on Pensions.

Also (by request), petition of Bureau of Standards, Harrisburg, Pa., protesting against the passage of the Dillon bill; to the Committee on Coinage, Weights, and Measures.

Also (by request), memorial of Lancaster Branch of the National Security League, of Pennsylvania, indorsing preparedness; to the Committee on Military Affairs.

Also (by request), memorial of German-American Alliance, Allegheny County Branch, Pittsburgh, Pa., favoring amendments to the naturalization laws; to the Committee on Immigration and Naturalization.

Also (by request), memorial of German-American Buton Co., protesting against the Deitrick amendment to the Army appropriation bill; to the Committee on Military Affairs.

Also (by request), memorial of Thesber Bros., of Philadelphia, Pa., favoring House bill 702, the dyestuff bill; to the Committee on Ways and Means.

Also (by request), memorial of Associated Chambers of Commerce of the Pacific Coast, urging appropriations for railroads in Alaska; to the Committee on Appropriations.

By Mr. OAKLEY: Petition of Woman's Christian Temperance Union of New Britain, Conn., favoring national censorship of motion-picture films; to the Committee on Education.

By Mr. PRATT: Petition of Dean & Bush, Ithaca, N. Y., urging quick action to relieve the situation in dyestuffs; to the Committee on Ways and Means.

Also, petition of the Woman's Christian Temperance Union of Prattsburg, N. Y. (Mrs. C. M. Van Valkenburg, president; Mrs. G. D. Kice, secretary), favoring the passage of the Smith-Hughes bill for the national censorship of moving pictures; to the Committee on Education.

Also, petition of the Southern Tier Roller Mills, of Corning, N. Y. (Mr. J. Towner Hayt, manager), opposing the passage of House bill No. 9409, a bill that will repeal the present mixed-flour law; to the Committee on Agriculture.

By Mr. RUSSELL of Ohio: Petition of voters of Piqua, Ohio, and First Christian Church, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: Memorial protesting against the enactment into law of the leasing and power bills before Congress; to the Committee on the Public Lands.

Also, papers to accompany House bill 9508, for relief of Sue M. Burch; to the Committee on Pensions.

Also, memorial referring to the Smith and Taylor bills to appoint a commission to revise the Mining Code now before Congress; to the Committee on Mines and Mining.

By Mr. SNELL: Petition of the Laymen's League of Malone, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SULLOWAY: Memorial of Lakeside Council, No. 6, Sons and Daughters of Liberty, of Lakeport, N. H., in favor of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial in regard to an amendment to the Barnhart printing bill (H. R. 8664) adopted by Franklin (N. H.) Union International Brotherhood of Paper Makers; to the Committee on Printing.

By Mr. THOMAS: Petition of Greenville Baptist Church, of Greenville, Ky., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of B. F. Atkinson and others, of Central City, Ky., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of citizens of Central City, Ky., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of citizens of Eden, Ky., favoring an old-age pension law; to the Committee on Pensions.

Also, petition of 77 citizens of and near Greenville, Ky., for national prohibition; to the Committee on the Judiciary.

By Mr. TILSON: Petition of Louis C. Cowles and others, of New Haven, Conn., favoring H. R. 702, the dyestuffs bill; to the Committee on Ways and Means.

By Mr. VARE: Petition of citizens of Philadelphia and vicinity, asking for repeal of tax on tooth paste; to the Committee on Ways and Means.

By Mr. WASON: Petitions of business men of Franklin, Keene, Newport, Concord, Claremont, Danbury, Nashua, Bristol, Haverhill, Lebanon, Enfield, Winchester, Plymouth, East Jaffrey, Penacook, Suncook, Derry, Exeter, Lincoln, North Woodstock, Ashland, Pittsfield, Lancaster, Colebrook, Woodsville, Groveton, Littleton, Berlin, Gorham, Whitefield, North Stratford, and Lisbon, all in the State of New Hampshire, favoring legislation to provide a tax upon persons, firms, or corporations doing an interstate mail-order business; to the Committee on Ways and Means.

Also, resolutions of Pauline Cushman Council, No. 21, Sons and Daughters of Liberty, Hillsboro, N. H., favoring the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. WALSH: Petition of Gosnold Mills Co., by G. T. Thompson, treasurer, for the enactment of legislation to make the United States independent of any other nation for its supply of dyestuffs; to the Committee on Ways and Means.

SENATE.

TUESDAY, February 15, 1916.

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

Almighty God, the manifold ministries of Thy grace come to us continually, and crowd upon us with every ministry of a new day. All life and light, all social joy, all invitation to service, all aspirations high and holy, come from Thee. We come to Thee not only as the Author of our gifts and blessings but the Center of our life, and would learn to live our life in Thee. Speak Thou through us as instruments in Thy hand, that Thy great kingdom may be established and Thy will be done on earth. Guide us this day in the duties that are upon us. Forgive our sins. For Jesus' sake. Amen.

CHARLES A. CULBERSON, a Senator from the State of Texas, appeared in his seat to-day.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 97) to appoint Alexander Graham Bell a member of the Board of Regents of the Smithsonian Institution.

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

H. R. 7571. An act to provide for the appointment of the recorder of deeds of the District of Columbia by the Commissioners of the District of Columbia;

H. R. 7585. An act to provide for the appointment of the register of wills of the District of Columbia by the justices of the Supreme Court of said District;

H. R. 8810. An act to amend an act relating to the Public Utilities Commission of the District of Columbia approved March 4, 1913;

H. R. 9803. An act to emancipate from certain disabilities children who have judgments of conviction for crime of record against them in the Juvenile Court of the District of Columbia; and

H. R. 10490. An act to prevent fraudulent advertising in the District of Columbia.

PETITIONS AND MEMORIALS.

Mr. PHELAN presented petitions of sundry citizens of California, praying for Federal aid for persons afflicted with tuberculosis, which were referred to the Committee on Public Health and National Quarantine.

He also presented a petition of sundry citizens of California, praying for the creation of a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a petition of the Cooks' and Waiters' Alliance of Oakland, Cal., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

Mr. GALLINGER presented a petition of the congregation of the East Congregational Church, of Concord, N. H., praying for prohibition in the District of Columbia, which was ordered to lie on the table.

He also presented a petition of Darwin M. Aldrich Camp, No. 9, United Spanish War Veterans, Department of New Hampshire, of Keene, N. H., praying for an increase in armaments, which was referred to the Committee on Military Affairs.

He also presented the petition of Rev. Lemuel A. Jones, of Effingham Falls, N. H., and a petition of the congregation of the East Congregational Church, of Concord, N. H., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. POMERENE presented resolutions adopted by the Congregation Sons of Abraham of Norwood, Ohio, praying that Congress and the Government of the United States use their good offices to bring about lasting peace and the complete emancipation of the Jewish people in lands where they are oppressed, which were referred to the Committee on Foreign Relations.

Mr. LA FOLLETTE presented memorials of the Farmers' Union of Loyal; of the Farmers' Union of Bonduel; of Local Union, American Society of Equity, of Hewitt; and of the Farmers' Union of Deer Park, all in the State of Wisconsin, remonstrating against the enactment of legislation to prohibit interstate commerce in convict-made goods, which were referred to the Committee on Education and Labor.

Mr. HUGHES presented petitions of sundry citizens of New Jersey, praying for the imposition of a duty on dyestuffs, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of New Jersey, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Oregon, praying for the placing of an embargo on munitions of war, which was referred to the Committee on Foreign Relations.

Mr. HARDING presented a petition of the Chamber of Commerce of Elyria, Ohio, and a petition of the American Institute of Banking, of Cleveland, Ohio, praying for an increase in armaments, which were referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Ohio, praying for the imposition of a duty on dyestuffs, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Ravenna, Berkey, and Arcadia, in the State of Ohio, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Cedarville, Ohio, remonstrating against certain proposed changes in the Rural Delivery Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Norwood, Ohio, praying for such peace terms at the coming peace conference as will emancipate the Jewish people in Europe, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Cleveland, Ohio, praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish-American War, which was referred to the Committee on Pensions.

He also presented a memorial of Local Grange No. 1934, Patrons of Husbandry, of Flushing, Ohio, remonstrating against an increase in armaments, which was referred to the Committee on Military Affairs.

He also presented a petition of the Union Distilling Co., of Cincinnati, Ohio, praying for the adoption of an amendment to the laws relative to the shipment of alcohol from a distilling plant to a central denaturing warehouse, which was referred to the Committee on Finance.

Mr. OLIVER presented memorials of sundry local unions of the International Union of the United Brewery Workmen in the State of Pennsylvania, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Pennsylvania, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of the City Council of York; of the Federation of Trade Unions of York; and of Local Branch No. 960, National Association of Letter Carriers, of Carnegie, all in the State of Pennsylvania, praying for the enactment of legislation providing for extended leave of absence to superannuated employees in the Postal Service, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Union No. 25, American Federation of Labor, of Rochester, Pa., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a petition of General J. P. S. Gobin Camp, No. 41, United Spanish War Veterans, of Scranton, Pa., and a petition of the Board of Trade of Mount Lebanon, Pa., praying for an increase of armaments, which were referred to the Committee on Military Affairs.

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

He also presented a petition of sundry employees of the Bureau of Animal Industry, Austin, Minn., praying for the enactment of legislation to regulate the salaries of different classes of veterinary inspectors and employees in the Bureau of Animal Industry, which was referred to the Committee on Agriculture and Forestry.

Mr. POINDEXTER presented a petition of the Washington Volunteers' Association, of Seattle, Wash., praying for an increase in armaments, which was referred to the Committee on Military Affairs.

Mr. WEEKS presented a resolution adopted by the Methodist Preachers' Meeting, of Boston, Mass., favoring national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the First Congregational Church of Rockland, Mass., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a petition of the Equal Suffrage League of Brockton, Mass., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

Mr. MYERS. I present resolutions adopted at a meeting of the Associated Students of the University of Montana, held January 20, 1916, favoring an adequate appropriation for the Flathead reclamation project in Montana. I ask that the resolutions be printed in the Record, together with the signatures, and referred to the Committee on Indian Affairs.

There being no objection, the resolutions were referred to the Committee on Indian Affairs and ordered to be printed in the Record, as follows:

At a meeting of the Associated Students of the University of Montana held January 20, 1916, the following resolution was unanimously adopted:

"Whereas the Flathead reclamation project in western Montana is of vast importance to all the people of the State, and the completion of this irrigation system has been seriously delayed by lack of funds to the extent that many settlers, who entered upon Flathead lands in good faith and in the belief that irrigation water would be furnished three years ago, have been absolutely ruined and other settlers are facing the loss of everything they possess: Be it

Resolved, That the Associated Students of the University of Montana urge the Representatives of their State in Congress to use all means to secure the appropriation of \$1,000,000 by Congress for the rapid prosecution of the construction of the Flathead reclamation project, to the end that the suffering of settlers may be relieved and that the implied promise of the Government may be fulfilled; and be it further

Resolved, That copies of this resolution be sent to Hon. HENRY L. MYERS, Hon. T. J. WALSH, Hon. JOHN M. EVANS, and Hon. TOM STOUT:

that a copy be furnished to the editor of the *Kalmin* and one to Mr. James Harbert, of Polson, whose efforts in support of the reclamation project command our hearty respect and admiration.

"MAE POPE,
"C. T. WARD,
"JAMES M. BROWN,
"Committee."

REPORTS OF COMMITTEES.

Mr. JOHNSON of Maine (for Mr. SHIVELY), from the Committee on Pensions, to which was referred the bill (H. R. 10037) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 145) thereon.

Mr. CLAPP, from the Committee on Indian Affairs, to which was referred the bill (S. 140) for the relief of the estate of Israel Folsom, reported it with an amendment and submitted a report (No. 146) thereon.

Mr. LIPPITT, from the Committee on Commerce, to which was referred the bill (S. 1416) to amend section 4215 of the Revised Statutes of the United States, and for other purposes, reported it without amendment and submitted a report (No. 147) thereon.

Mr. ASHURST, from the Committee on Indian Affairs, to which was referred the bill (S. 2500) authorizing the adjustment of rights of settlers on the Moqui and Navajo Indian Reservations, in the State of Arizona, reported it with an amendment and submitted a report (No. 148) thereon.

Mr. POMERENE, from the Committee on Interstate Commerce, to which was referred the bill (S. 19) relating to bills of lading in interstate and foreign commerce, reported it with amendments and submitted a report (No. 149) thereon.

REFUND OF EXCESS DUTIES ON STEEL BLOOMS.

Mr. LA FOLLETTE. I ask unanimous consent to recall from the Committee on Claims a bill which I introduced a few days ago. It is Senate bill 4398, for the refund of excess duties on steel blooms. I ask unanimous consent that the bill be recalled from the Committee on Claims and that it be referred to the Committee on Finance. We are dealing with such bills all the time in that committee, and I think the bill should have gone there when introduced.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

RURAL CREDITS.

Mr. HOLLIS. On behalf of the Committee on Banking and Currency I report back the so-called rural credits bill, the bill (S. 2986) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgages, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes, with a favorable report (No. 144). I ask unanimous consent that the report with the bill may be printed to the extent that the law permits—the usual number, and I give notice that at the conclusion of the unfinished business I shall move to take this bill from the calendar for immediate action.

The VICE PRESIDENT. The bill and report will be printed, and the bill will be placed on the calendar.

COINAGE OF A MCKINLEY SOUVENIR GOLD DOLLAR.

Mr. POMERENE. From the Committee on Banking and Currency I report back favorably, without amendment, the bill (H. R. 2) for the coinage of a McKinley souvenir gold dollar in commemoration of the erection of a memorial to William McKinley, late President of the United States. I call the attention of my colleague to this report.

Mr. HARDING. Mr. President, I should like to ask the unanimous consent of the Senate for the immediate consideration of this bill. If the Senate will allow me, I will state very briefly the object.

There is being erected at the birthplace of the late William McKinley, at Niles, Ohio, a great memorial to him, and the memorial association has asked the assistance of the Government to the extent only of coining 100,000 souvenir gold dollars, absolutely without expense to the Government. Even the dies are furnished by the McKinley Memorial Association. The object is to sell the 100,000 souvenir gold dollars at a premium and apply the premium thus obtained to a fund for the furnishing and the maintenance of the memorial.

The bill was favorably reported by the House committee and passed the House without a dissenting vote, and I am sure there will be none in the Senate. I should like to have the immediate consideration of the bill.

The VICE PRESIDENT. The Secretary will read the bill. The Secretary read the bill, as follows:

Be it enacted, etc., That for the purpose of aiding in defraying the cost of completing in a suitable manner the work of erecting a memorial in the city of Niles, Ohio, to William McKinley, late President of the United States of America, the Secretary of the Treasury shall be, and is hereby, authorized to purchase in the market so much gold bullion as may be necessary for the purpose herein provided for, from which there shall be coined at the United States Mint, Philadelphia, standard gold dollars of the legal weight and fineness, to the number of not exceeding 100,000 pieces, to be known as the McKinley souvenir dollar, struck in commemoration of the erection of a memorial to William McKinley, late President of the United States of America, in the city of Niles, Ohio, his birthplace, the devices and designs upon which coins shall be prescribed by the Secretary of the Treasury; and all provisions of law relative to the coinage and legal-tender quality of the standard gold dollar shall be applicable to the coins issued under this act, and when so coined said souvenir dollars shall be delivered, in suitable parcels, at par, and without cost to the United States, to the National McKinley Birthplace Memorial Association and the dies shall be destroyed.

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

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

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

COURTS IN IOWA.

Mr. OVERMAN. On behalf of the Committee on the Judiciary, I report back favorably without amendment the bill (H. R. 73) to amend chapter 231, known as the Judicial Code, act of March 3, 1911 (vol. 36, U. S. Stat. L., sec. 81, p. 1111). I call the attention of the Senator from Iowa [Mr. KENYON] to it.

Mr. KENYON. I ask unanimous consent for the immediate consideration of this bill. It merely fixes the time of holding the Federal courts in Iowa. It is quite important that it shall be passed at once.

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

Mr. BRYAN. What is the bill?

The VICE PRESIDENT. The Senator from Iowa states that it is a bill fixing the time and place of holding Federal courts in the State of Iowa.

Mr. BRYAN. All right.

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

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

BILLS INTRODUCED.

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

By Mr. UNDERWOOD:

A bill (S. 4476) to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges or viaducts across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands, as amended by an act approved June 18, 1912; to the Committee on Commerce.

By Mr. SMITH of Maryland:

A bill (S. 4478) to provide for the condemnation of land for highway and park purposes to preserve the Klinge Ford Valley; and

A bill (S. 4479) to amend an act approved June 8, 1906, entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901"; to the Committee on the District of Columbia.

By Mr. OVERMAN:

A bill (S. 4480) providing for the establishment of two additional terms of the district court for the eastern district of North Carolina at Raleigh, N. C.; to the Committee on the Judiciary.

By Mr. HARDING:

A bill (S. 4481) granting an increase of pension to Martha T. Scott (with accompanying papers); and

A bill (S. 4482) granting a pension to Eliza Longacre (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 4484) to incorporate the Boy Scouts of America, and for other purposes; to the Committee on the Judiciary.

By Mr. HARDWICK:

A bill (S. 4485) for the relief of the estate of Joseph Lippman, deceased; to the Committee on Claims.

By Mr. HUGHES:

A bill (S. 4486) to amend section 19 of the public-buildings act approved March 4, 1913 (37 Stat., 883), as amended by the act of Congress approved August 11, 1913 (38 Stat., 109); to the Committee on Public Buildings and Grounds.

By Mr. JAMES:

A bill (S. 4487) granting a pension to Maude Woods (with accompanying papers); and

A bill (S. 4488) granting a pension to George R. Hamilton (with accompanying papers); to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 4489) granting an increase of pension to Georgia B. Moulton (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 4490) to establish a fish-cultural station in the State of Oklahoma; to the Committee on Fisheries.

By Mr. FLETCHER:

A bill (S. 4491) granting an increase of pension to Nephi Owen (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 4492) to create a national university at the seat of the Federal Government; to the Committee on the University of the United States.

By Mr. TILLMAN:

A bill (S. 4493) to enable the Government to use private armor-making plants for the manufacture of armor; to the Committee on Naval Affairs.

PATENT OFFICE FEES.

By Mr. POMERENE:

A bill (S. 4477) to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office, in favor of nations granting reciprocal rights to United States citizens; to the Committee on Patents.

Mr. POMERENE. As explaining the purpose and necessity for this bill, I have a letter from the law firm of Hull, Smith, Brock & West, of Cleveland, and, without reading it, I ask unanimous consent that it may be printed in the Record.

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

The letter referred to is as follows:

CLEVELAND, February 5, 1916.

HON. ATLEE POMERENE,
United States Senate, Washington, D. C.

DEAR SIR: In accordance with the request in your letter of January 31, 1916, we inclose herewith a proposed draft of an act to extend temporarily the time of filing fees and applications and of taking actions in the Patent Office. In preparing this draft the writer has consulted members of the committee on industrial property and has carried in mind the legislation proposed to the last Congress. The former legislation was adversely criticized as ambiguous and indefinite, particularly as permitting the grant of patents to foreigners upon devices which may have been published or in use more than two years. The writer has avoided this objection by requiring a prior filing in the applicant's home country within the time specified by law.

Under the present legislation, as you are doubtless aware, a citizen of any one of the convention countries, after having filed application in his home country, is entitled to file similar applications in any of the other countries within one year and obtain the effective date of his home application; but if he waits for more than a year he loses the benefit of this date, and any use or publication prior to his actual filing becomes a bar as to his patent. Similarly under the United States law an applicant has one year in which to reply to most official actions, and a stated time to reply to other actions, and failure to take action within those times effects a positive abandonment of his application. The purpose of this legislation is to extend these times up to a limit of nine months in favor of the subjects and citizens of those countries who have done the same for us.

Certain European Governments, notably France, started soon after the war broke out to afford substantially these facilities to the citizens of all countries, but later restricted their operation to those citizens or subjects only whose Governments had extended equal rights in return. It is of even greater importance to Americans to obtain these facilities of delay, with respect to their foreign patents, than it is for the foreign subjects to obtain such facilities in respect of their United States patents, for all European countries exact the payment within fixed times of annual taxes for their patents, in default of which the patents become void. Also nearly all the countries demand annual or biennial workings of their patents under similar penalty. In many cases the operation of war has been to prevent applications, tax payments, working directions, amendments, and the like from reaching their destinations, either by being sunk in mid-ocean or by being delayed beyond the times allotted. Also thousands of American owners of foreign patents have hesitated about incurring the expense of maintaining their foreign patents (or even applying for them originally), because of their uncertainty as to the outcome of the war and of the financial and economic condition in Europe at its close. The passage of this legislation, or other legislation having substantially the same end in view, would automatically restore the rights of these American owners of foreign patents and will otherwise greatly facilitate their transaction of business with foreign offices. Also, it can not be seen that any detriment will accrue to the American public, in view of the safeguards proposed.

In amending this proposed legislation care should be taken not to introduce such limitations as should render it unfairly inferior to the reciprocal legislation adopted by France and other belligerent coun-

tries. It is believed that the bill as drawn is about as narrow as could safely be proposed.

We shall be much gratified if you will take this matter up with the Committee on Patents and with others whom you think should be approached. We are sending a copy of this bill to Hon. WILLIAM GONDON, of the House of Representatives, and to the Commissioner of Patents.

Very respectfully,

HULL, SMITH, BROCK & WEST,
By H. E. SMITH.

SYSTEM OF PUBLIC HIGHWAYS.

By Mr. SHIELDS:

A bill (S. 4483) to provide for the preparation and report to Congress by the Chief of Engineers of the Army under the direction and through the Secretary of War of a preliminary plan for a system of improved national highways, and to provide for the payment of the expenses of said report; to the Committee on Military Affairs.

Mr. SHIELDS. Bearing upon the bill, and in relation to it, I desire to have printed in the Record an article by Lieut. Col. Henry T. Allen, Eleventh United States Cavalry, written upon the subject of the improvement of roads as a military asset and the desirability of a line of road from the Lakes to the Gulf. The article is very short, and I ask that it be printed.

There being no objection, the article referred to was ordered to be printed in the Record, as follows:

THE DIXIE HIGHWAY AS A MILITARY ASSET.

[Lieut. Col. Henry T. Allen, Eleventh United States Cavalry.]

Warfare of the present day demands, more than ever, rapid transportation of large bodies of men and enormous supplies of munitions and provisions. It is not enough to have a superior system of railways in any given zone. This must be supplemented by highways, because in the final state the thousands of tons required daily by a modern army reach the firing line by motor trucks and horse-drawn vehicles.

Good roads will assure numerous motor vehicles such as characterize the western war front in Europe at the present time by their numbers. The efficiency of a good motor truck on a good road is at least four times that of a horse-drawn vehicle, the cost and maintenance of which is the same as that of the truck. In fact, in future wars the motor truck will rank next to the railway trains in carrying military supplies.

In general, the following represents the carrying of supplies to the firing line:

First. Railway or steamboat transportation from the large bases of supply to the railway heads or boat terminals.

Second. Thence by motor trucks to the divisional bases.

Third. Thence by horse-drawn vehicles to the firing lines.

In the Dixie Highway we find a magnificent line from Chicago through manufacturing centers, including Indianapolis, Louisville, Nashville, Chattanooga, Atlanta, and Tallahassee, and another line from the very heart of the Great Lakes, Mackinaw, through the following important cities: Detroit, Toledo, Dayton, Cincinnati, Knoxville, Chattanooga, Atlanta, thence to Jacksonville. In a word, the great Gulf and the Great Lakes are joined by a wonderful highway passing through a section of the country that has always furnished more than its quota of soldiers for every war in which the Nation has been engaged. Due to its geographical position, its population, its food production, and its manufacturing capacity this section may well be considered the greatest military asset of any large part of the United States.

It has been claimed that the construction of good highways would be aiding a foreign foe landing on our shores. While this is true, it would be a still greater aid to the defense in the ready mobilization of all its forces and in supplying the resisting lines promptly with men and munitions. If such a misfortune should happen to the United States as to have a coalition force land on our eastern seaboard, the Dixie Highway, with its numerous manufacturing cities and its vast supply centers—all well connected—would offer most advantageous sites for supply bases and would constitute a highly important base line sufficiently far from the coast to be reasonably safe from air craft yet sufficiently close for many war requirements. If it should become necessary to resist an enemy from the direction of the great Gulf, the advantages cited for the Dixie Highway would be still greater.

The successful prosecution of a great campaign depends upon the existence or construction of roads, and the better they are the greater the chances of success will be.

The military strength of a nation depends on the quality of its citizens—upon their intelligence and virility. No nation can have an armed force better than the standard of its average citizen. The capacity and effectiveness of these are determined in peace; they are simply accentuated by war training. Therefore, the nation or state that increases its miles of good roads and the quality of the same improves the quality of its citizenship, increases its wealth in farm and factory, and adds to its military assets.

It is in this indirect manner that the Dixie Highway will prove its greater value as a military asset for the Nation. This idea is vividly exemplified in Russia and Germany. Standing on the frontier between these two countries a careful inspection shows a marked contrast in the appearance of the cultivation of the country, in the roads, in the houses, and the school buildings looking east from that looking west. The average education and effectiveness of the respective citizens are equally contrasted. It necessarily follows that the Russian and German armies should show a corresponding contrast, and the results thus far obtained confirm this.

Probably no branch of the Government is more keenly interested in the completion of the Dixie Highway than the Army, and to no branch can it have a more important bearing. With the inevitable change in our military policy, involving the concentration and organization in time of peace of such commands as would be required in war, the interest between the Lakes and Florida will have an added military interest in which the Dixie Highway will prove its great military value.

AMENDMENTS TO INDIAN APPROPRIATION BILL.

Mr. MYERS submitted an amendment proposing to appropriate \$1,000 for the erection of a building for the display of In-

dian exhibits at the fair grounds of the Western Montana Fair Association at Missoula, Mont., intended to be proposed by him to the Indian appropriation bill (H. R. 10385), which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate \$5,000 for the improvement and maintenance for bath purposes of the Camas Hot Springs near the town of Camas on the Flat-head Indian Reservation, Mont., etc., intended to be proposed by him to the Indian appropriation bill (H. R. 10385), which was referred to the Committee on Indian Affairs and ordered to be printed.

PROHIBITION IN THE DISTRICT OF COLUMBIA.

Mr. UNDERWOOD. I submit an amendment intended to be proposed by me to the bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia. I ask that the amendment may be printed.

The VICE PRESIDENT. Shall it go to the committee or lie on the table?

Mr. UNDERWOOD. Let it lie on the table and be printed, as the bill has already been reported to the Senate.

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

CLAIM OF PRAIRIE COUNTY, ARK.

Mr. CLARKE of Arkansas. I submit an amendment intended to be proposed by me to the bill (S. 1878) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, and under the provisions of section No. 151 of the act approved March 3, 1911, commonly known as the Judicial Code. I ask that the amendment be read, printed, and lie on the table until the bill to which it refers may come under consideration.

The amendment was ordered to be printed and to lie on the table, and it was read, as follows:

Add as a new paragraph at the end of the bill:
"To Prairie County, Ark., \$13,200."

ARMED MERCHANT SHIPS.

Mr. STERLING. I submit a resolution and ask that it be read and lie on the table.

The resolution (S. Res. 100) was read, as follows:

Resolved, That the Senate of the United States views with anxious concern the late order of the German Admiralty that armed merchant ships of any of the entente allies, without distinction as to whether armed for merely defensive purposes or not, may be torpedoed and sunk without warning after the 29th of the present month; that such order, if put into effect, will constitute a more serious menace to the legitimate commerce of all neutral nations, and particularly to that of the United States, than any act of any of the belligerents in the present European war, and will be in contravention of a right long recognized by the principal commercial nations of the world, including our own; that the protection of the interests of neutral commerce on the high seas in time of war has been the subject of many treaties and conventions and is a favored subject in international law, and that through these instrumentalities the freedom of such commerce and the cause of civilization itself have been greatly promoted; that any recognition on the part of the United States of the claim that the necessities of war in general or the exigencies and conditions of modern submarine warfare are warrant for the order of the German Admiralty would be a step backward and so far an abandonment of our contention for the freedom of the seas. Moreover, such recognition would contravene the policy of the Government of the United States as expressed in the notes of our State Department to the British and German Governments, respectively, on the 26th of September and November 7, 1914, and that at this time in the history of the present war there should be no acquiescence in the order of the German Admiralty on the part of this or any other neutral power.

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

Mr. STERLING. I desire to give notice that on Friday next, following the conclusion of the morning business, I shall address the Senate on the resolution.

Mr. LODGE. I believe the resolution is to lie on the table for the present.

The VICE PRESIDENT. That was the request of the Senator from South Dakota.

Mr. LODGE. I desire to give notice that I shall address the Senate upon the resolution at the conclusion of the remarks of the Senator from South Dakota.

PRODUCTION AND CONSUMPTION OF GASOLINE.

Mr. McCUMBER. Mr. President, some time ago the Senate passed a resolution seeking to secure from the Interior Department certain information concerning the production, consumption, and prices, abnormal and otherwise, of gasoline. The report of the Secretary of the Interior is very full and complete

and is replete with very valuable information. That report has been submitted as a Senate document.

While possibly the report itself does not answer directly the principal matter which the average American may have in mind concerning the extraordinary rise in the price of gasoline, at least inferentially it indicates the cause. I can say briefly that the report indicates, first, that there is no very close relation at any time between the cost of the crude-oil production and that of the finished article; secondly, that the depressions and rises in the price seem to be fixed by something other than the question of supply and demand; and, third, that there have been some enormous dividends declared upon the stock of the great refining companies.

There may be quite a serious question as to what particular committee should investigate this subject. With the vast increase in the amount of gasoline used upon the farm and the use of the cheaper automobiles upon the farm it seems to me that the Committee on Agriculture and Forestry might well take the matter under consideration. I ask that the matter be referred to the Committee on Agriculture and Forestry for consideration and investigation.

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

Mr. McCUMBER. I have just read, Mr. President, a supplement to the annual report of the Attorney General of the United States for the year 1915. The supplement deals entirely with the withdrawal of oil lands and also the litigation concerning the depletion of some of the oil fields in California. I ask, therefore, that the report made by the Attorney General upon this subject, which has already been presented to the Senate, be printed as a Senate document and referred to the Committee on Agriculture and Forestry, in connection with Senate Document No. 310 already referred to that Committee.

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

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his clerks, announced that the President had, on February 15, 1916, approved and signed the following act and joint resolution:

S. 900. An act amending sections 476, 477, and 440 of the Revised Statutes of the United States; and

S. J. Res. 76. Joint resolution authorizing the Secretary of War to loan 1,000 tents and 1,000 cots for the use of the encampment of the United Confederate Veterans to be held at Birmingham, Ala., in May, 1916.

PUBLIC UTILITIES COMMISSION.

H. R. 8810. An act to amend an act relating to the Public Utilities Commission of the District of Columbia approved March 4, 1913, was read twice by its title.

Mr. MARTIN of Virginia. Mr. President, I ask unanimous consent for the present consideration of that bill. It is a duplicate of one on the calendar which has been reported from the Committee on the District of Columbia. There will be no controversy about it, and I am sure it will not take three minutes to dispose of it.

Mr. SMOOT. I will ask the Senator what bill it is.

Mr. MARTIN of Virginia. It is a bill to relieve from the jurisdiction of the Utilities Commission of the District of Columbia an electric line that runs into Virginia for about 50 miles, I think, and has not 50 feet of track in the District of Columbia. It merely has a terminal here. The bill has passed the House and has come to the Senate in a message. I simply ask that it may be taken up and passed.

The VICE PRESIDENT. Is there any 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 section 8, paragraph 1, of an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes," approved March 4, 1913, relating to the Public Utilities Commission of the District of Columbia (37 Stat. L., p. 975), be amended by adding to the names of the companies excluded from the operation of said section, after the words "the Potomac River and Chesapeake Bay" in the third subdivision of said paragraph, on page 975, the following: "and the Washington & Old Dominion Railway, excepting as to the regulation of its operation inside of the District of Columbia."

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

Mr. MARTIN of Virginia. I ask that Senate bill 3998 on the calendar and covering the same subject be indefinitely postponed.

The VICE PRESIDENT. The Senate bill will be postponed indefinitely.

HOUSE BILLS REFERRED.

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

H. R. 7571. An act to provide for the appointment of the recorder of deeds of the District of Columbia by the Commissioners of the District of Columbia;

H. R. 7585. An act to provide for the appointment of the register of wills of the District of Columbia by the justices of the Supreme Court of said District;

H. R. 9803. An act to emancipate from certain disabilities children who have judgments of conviction for crime of record against them in the juvenile court of the District of Columbia; and

H. R. 10490. An act to prevent fraudulent advertising in the District of Columbia.

CENTRAL POWER PLANT.

Mr. PHELAN. Mr. President, may I ask at this time to bring up the resolution which I submitted on yesterday?

The VICE PRESIDENT. The Senator from California calls up the resolution submitted by him, coming over from a preceding day, which will be read.

The Secretary read the resolution (S. Res. 99) submitted by Mr. PHELAN on the 14th instant, as follows:

Resolved, That the Secretary of the Treasury, as permitted by the power-plant contract, be requested to modify the plans, as far as possible, to better harmonize with the Burnham plans for the improvement of the commercial water front and with the general beauty and comfort of the city of Washington.

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

Mr. GALLINGER. Mr. President, I suggest to the Senator from California that, in place of using the term "Burnham plans," he uses the words "Park Commission plans." Mr. Burnham was a member of that commission, and, of course, its leading spirit, but nevertheless the plan was worked out by a commission.

Mr. PHELAN. I accept the suggestion of the Senator from New Hampshire, and will so modify the resolution.

Mr. GALLINGER. I will take the liberty to say just one word, and that is I think the resolution is a very wise one, and I trust that the Secretary of the Treasury will take the matter in hand with a view to making the plan as ornamental as it is possible to make a plan of that kind.

Mr. BRYAN. Mr. President, may I inquire of the Senator from California is it his purpose to ask that the resolution be acted upon at this time?

Mr. PHELAN. It is my request that the resolution be acted upon at this time.

Mr. GALLINGER. The resolution, under the rule, went over on yesterday.

Mr. BRYAN. It does not occur to me that, without reference to a committee or without further consideration, the resolution should pass this morning. The resolution requests the Secretary of the Treasury to modify the plans of the power-plant building. If the Secretary complies with the request contained in this resolution he will modify the plan. Nobody knows how much that would cost or what changes would be made.

It seems to me, Mr. President, the resolution ought to go before a committee. The Fine Arts Commission had their day in court on yesterday. They are opposed to the erection of this power plant. According to Senators who took that view of the matter, there is no way in which to harmonize the plan of the Treasury Department with the plan they have in view. It seems to me that about all that could be accomplished by this resolution would be that the Secretary of the Treasury would ignore it or that he would stop the building and change his plans. We do not know what appropriation that would call for or what would be the result of the action. It occurs to me that the Senate disposed of the power and heating plant proposition on yesterday, and that we ought to go ahead with the legislation that has been agreed to in conference. Therefore I move that the resolution be referred to the Committee on the Library. I do that in deference to the request of the Senator from Nevada [Mr. NEWLANDS]. I do not know what the Committee on the Library has to do with a building which is so far removed from the Library.

Mr. MARTIN of Virginia. The resolution ought to go to the Committee on Public Buildings and Grounds.

Mr. BRYAN. It seems to me that the resolution ought to go to the Committee on Public Buildings and Grounds.

Mr. NEWLANDS rose.

Mr. BRYAN. I do not, however, care to get into any dispute about it. If the Senator from Nevada, who has taken very

great interest in this matter, wants the resolution to go to the Committee on the Library, I yield to his wishes, and make the motion that it be referred to that committee.

Mr. NEWLANDS. Mr. President, I wish to say that I am in favor of the present consideration of the resolution offered by the Senator from California [Mr. PHELAN], but when the Senator from Florida [Mr. BRYAN] seemed to be in doubt as to which committee he should ask the reference of the resolution I suggested to him the Committee on the Library, because that is the committee under whose jurisdiction a question of art rests and is the committee from which the Fine Arts Commission sprang.

Mr. PHELAN. Mr. President, I should like to state, more particularly for the information of the Senator from Florida [Mr. BRYAN], that the contract for this building invests the Secretary of the Treasury, as I understand it, with the power to modify the plans. I can not imagine that any considerable expense will be involved in such modification as the resolution contemplates, in order to bring the building into harmony with the larger plans for the adornment of Washington. It may involve architectural treatment of the building itself, which now possibly is perfectly plain, or it may involve the construction of ornamental chimneys. However, we know that there is in existence a plan for the improvement of the commercial water front of Washington, which involves an esplanade, and the idea is to have in view the general character of that structure, so that the new building will harmonize with it.

I do not think it is such a serious matter that it should involve the attention of a committee, but the Secretary of the Treasury has that power, and the resolution will request that he exercise it. I have from the Secretary of the Treasury a letter, which I shall ask to have read, which may set at rest the doubts of the Senator from Florida as to the attitude of the Secretary himself in this matter.

The VICE PRESIDENT. The letter sent to the desk by the Senator from California will be read.

The Secretary read as follows:

THE SECRETARY OF THE TREASURY,
Washington, February 15, 1916.

MY DEAR SENATOR: Your letter of the 14th instant reached me at my house last evening. Personally, I have no objection to the resolution you have offered concerning the plans for the central heating, lighting, and power plant, nor to any other action concerning this plant which the Congress may deem it wise to take. I may say, however, that without regard to the resolution you have offered, it is my purpose to do everything in my power to make the plans of the power house as artistic as possible and to harmonize them in every reasonable way with any plans already adopted or projected for the improvement and beautification of Washington. I have at all times been willing, and still am willing, to receive the suggestions and recommendations of the Fine Arts Commission or any other competent person or persons respecting the design and artistic features of the power house. It is not, however, within my province to change the location or site of the power house, that having been determined by an act of Congress passed before I became Secretary of the Treasury.

Faithfully, yours,

W. G. McADOO.

HON. JAMES D. PHELAN,
United States Senate.

Mr. BRYAN. Mr. President, in view of that letter, I withdraw my objection to the present consideration of the resolution.

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

Mr. NORRIS. Mr. President, I should like to call the attention of the Senator from California to the fact that it seems to me the resolution assumes that the plans which have been adopted are not in harmony with the so-called Burnham plan, and if we pass this resolution and the Secretary of the Treasury should feel, as he perhaps might justly feel, that it was the desire of the Senate that these plans be modified, he would accordingly modify them. Suppose, however, that the plans are already in harmony with the so-called Burnham plan—I do not know whether they are or not; but the only objection I can see to the resolution is that it assumes that they are not—he is asked to modify the plans so that they will harmonize with the Burnham plan. I should like to inquire of the Senator if he knows that the plans for the building are not in harmony with the so-called Burnham plan?

Mr. PHELAN. The resolution requests the Secretary of the Treasury to modify the plans, as far as possible, and so forth.

The plan of the Park Commission, otherwise known as the Burnham plan, contemplates the construction of an esplanade, running from a point near the railroad embankment to the War College. I inspected the site of the new power plant last Sunday morning, and found that it was involved in the construction of that esplanade, so that the object of the resolution is to harmonize the architecture of the new building, which I

understand is now perfectly plain, and the chimneys or smokestacks, so that there would be a general harmony between the two structures. It does not involve, of course, changing the site nor anything that is material. It is a mere direction to the Secretary.

Mr. NORRIS. I understand it does not involve a change of site; but does the Senator, from his examination, if he has examined the plans, believe that the present plans for the proposed building are not in harmony with the plans of the Park Commission?

Mr. PHELAN. I believe the present plans for the new building are not in harmony with the Park Commission plans.

The VICE PRESIDENT. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to, as follows:

Resolved, That the Secretary of the Treasury, as permitted by the power-plant contract, be requested to modify the plans, as far as possible, to better harmonize with the Park Commission plans for the improvement of the commercial water front and with the general beauty and comfort of the city of Washington.

MANUFACTURE OF ARMOR.

Mr. TILLMAN. Mr. President, I ask that the bill (S. 1417) to erect a factory for the manufacture of armor be laid before the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Chair lays before the Senate the bill (S. 1417) to erect a factory for the manufacture of armor.

Mr. TILLMAN. I ask that the report of the committee accompanying the bill be read.

The VICE PRESIDENT. The Secretary will read as requested.

The report (No. 115) submitted by Mr. TILLMAN on the 8th instant was read, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 1417) to erect a factory for the manufacture of armor, having had the same under consideration, beg leave to report it with an amendment.

The relation of the United States Government to the armor-plate manufacturers has been a continual source of dissatisfaction to those Members of Congress who really do not believe in the doctrine of favoritism to special interests, or in the protective system at all, and a condition has existed little short of scandalous. From 1887, when Secretary Whitney made the first contract with the Bethlehem Co., to 1915, when Secretary Daniels refused to award any contracts at all, investigation has followed investigation without result.

The very nature of the armor-plate business makes such a condition inevitable. There is only one customer in the United States for the product—the Government—and the large capital required to found an armor plant excludes all but the largest concerns from the business.

There are only three manufacturers of armor plate in this country, and the result is either a monopoly or a combine of the worst type. None of the conditions that tend to check monopoly are present. The number of manufacturers is necessarily limited, and the Government is compelled to buy their product, regardless of the price charged, because the law does not allow the Secretary of the Navy to go outside of this country to buy it. The manufacturers have no fear of private competition, for there is not sufficient demand for armor to justify the entrance of other parties. The economic principle which declares that to increase the price of a monopolistic product beyond a certain limit automatically decreases the demand for it does not obtain, because the United States Government is compelled to armor its vessels, regardless of cost. It is plain that Congress can pass as many laws as it chooses to pass and give the Secretary of the Navy as much discretion as he may ask without remedying the situation. As long as present conditions continue the armor manufacturers are in a position to force the United States Government, in the language of the highwayman, to "stand and deliver."

The committee has no desire to criticize unjustly the manufacturers of armor plate. They have done no more than most other men would have done under similar circumstances and temptations. Men in the pursuit of wealth are essentially greedy and hoggish; and the protective principle seems to have been prolific in producing some magnificent specimens. The main fact to be borne in mind is that they have more power than is compatible with the public interest. Give power to any set of men, however excellent and honorable, and sooner or later they will abuse it. Men have been built that way since the beginning of time.

The history of armor-plate making in America is interesting and significant in view of the foregoing observations.

The change from wooden ships to ships of iron and steel was authorized by the act of August 5, 1882, which orders—

"That no part of this sum shall be applied to the repairs of any wooden ship when the estimated cost of such repairs shall exceed 30 per cent of the estimated cost of a new ship of the same size and like material."

Secretary of the Navy W. E. Chandler really began the new Navy, for he made the contract with the John Roach Co. for the first four iron ships—the *Atlanta*, *Baltimore*, *Chicago*, and *Dolphin*. The *Dolphin* is still in active service as a dispatch boat, showing how thoroughly well it must have been built. It is now about 33 years old.

The next step was to get armor for these iron vessels. There was no armor being manufactured at all in the United States; the armor for the *Montomah* having been imported from England at a cost of about \$550 per ton. Secretary Whitney induced the Bethlehem Co. to enter upon the manufacture of armor, it having one of the largest iron plants in the country; and the price agreed on varied from five to six hundred dollars per ton. The Bethlehem Co. and the Cleveland Rolling Mill Co. were the only two concerns that bid at all. Whitney did not make a close or tight bargain, as he knew the company must necessarily be put to large expense, and he was willing to allow a liberal price on that account. He felt that it was desirable, if not absolutely necessary, that we should have armor manufacturers in the United States; and his successor, Mr. Tracy, felt that there should be more than one concern in the business, and he induced the Carnegie Steel

Co. to enter it. There was a dispute with the Carnegie Co. about the price. Mr. Carnegie insisted he must receive the same price the Bethlehem people were getting or he would not touch it. Secretary Whitney further agreed for each pound of armor plate used he would set aside 2 cents to indemnify the company for any damages it might sustain for infringing on certain patents held by the Schneider Co. in France.

Having reason to believe the Carnegie and Bethlehem companies were in collusion or combination, Senator Chandler offered a resolution in the Senate instructing the committee as follows:

"To inquire whether the prices paid or agreed to be paid for armor for vessels of the Navy have been fair and reasonable; also whether any prices paid have been increased on account of patent processes used for the introduction of nickel, or for cementation by the Harvey process; and if so, whether the increases in price are fair and reasonable; whether the issuance of any of the patents was expedited at the request of the Navy Department; whether such patents were properly issued and were for inventions not previously known or used, and who were and are the owners of such patents; whether any officers of the Government were interested therein, or at the time when any contracts were made were or have since been interested in the patents or employed by the owners thereof; and whether any legislation is necessary to further promote the manufacture and cheapen the price of armor for vessels of the Navy."

This resolution passed the Senate on December 31, 1895, and under it the first senatorial investigation of armor was begun.

The first bill for the erection of an armor-plate factory was introduced on January 22, 1896, by Senator Smith, of New Jersey. This bill provided that the factory be erected in the city of Washington.

Secretary Herbert, on January 5, 1897, stated in reference to the Bethlehem plant, basing his estimates on data obtained from the company itself, that—

"Whatever may have been the cost of the armor plant and the gun plant, whatever may have been paid for the secrets of manufacture or for patents, or whatever may have been interest on working capital, all those and other charges have been paid from the gross earnings of the company; and the results show the company's investments in the plant to make armor and gun steel for the Government have been returned with 22 per cent thereon."

According to Secretary Herbert, in seven years the plant had paid for itself and in addition had returned 22 per cent of itself, and practically the same statement was made of the Carnegie Co. These facts prove the assertion often made by Senator TILLMAN—that the Government had built the plants and then given them to those two companies.

Secretary Daniels, in his current report, states:

"Since the passage of the naval act of June 7, 1900, the Navy Department has spent \$76,195,960 for armor for its ships. It is believed that if the intent of Congress to order the erection of a factory had been carried out at that time the Government would have saved enough money on armor plate to own a plant as large as that owned by all three of the private companies and in the meantime to have supplied the armor plate for its own ships at a less price than it has been compelled to pay."

The facts as brought out go to prove this beyond dispute. In 1903 the Midvale Steel Co. entered the field, but its entry has made no material difference in the situation as to cost of armor to the Government. Of course, they were lured by the hope of profit. Being skillful metallurgists and iron masters, just by walking through the Bethlehem and Carnegie works they could see that the profits were large. But that company did not build an armor plant until they had bid five times and were denied participation in the contracts because they did not have any plant in which to manufacture it. They had underbid the older companies, but the Government, for some unexplained reason, though ostensibly it was because the President or the Secretary of the Navy elected to believe that the new company could not build a plant and deliver the armor in accordance with their contract, gave the awards to Bethlehem and Carnegie.

Mr. Barba, then president of the Midvale Steel Co., stated to the Tillman committee that "I remember that our original bid contemplated beginning delivery in 26 months, during which time we hoped to be able to erect a plant that would enable us to begin delivery of the comparatively small sizes of armor which were required for the purposes of the Navy at that time." When Mr. Barba was asked, "Didn't you believe that Carnegie and Bethlehem had a good thing, and therefore you wanted to share in it?" answered "Unquestionably." To show the bias of the Navy Department in favor of Carnegie and Bethlehem, Mr. Barba testified that the Midvale Co. received about one-third of the amount—16,000 tons—needed by the department, at \$397 per ton, and two-thirds was given to the Carnegie and Bethlehem companies, at \$450.60 per ton.

After having been turned down five times, the construction of a plant was begun by the Midvale Co. in 1903 and had progressed so far toward completion that the Secretary of the Navy awarded them a contract, they being the lowest bidder. So far so good; this was honest competition. But once in, they were recognized by the old companies, who took them in partnership, as it were, for thereafter the price offered by each of the three did not materially vary.

The effort of the Government to obtain competition among armor makers had failed. It should be said to the credit of the Midvale Co., however, that they refused to pay a royalty to either Harvey or Krupp and defended a suit through all the courts up to the United States Supreme Court, which sustained their contention that they had done nothing for which to pay a royalty.

When the special committee, consisting of Senator TILLMAN, Congressman PADGETT, and Admiral Strauss, investigated the whole subject last year, that committee could not obtain any authoritative or reliable information whatever as to the cost of armor. There was every evidence of combination and collusion instead of competition, but no proof. But given three companies with a single fixed purchaser of their products, a consumer who is compelled to buy, and monopoly or combination, tacit or avowed, is certain to follow. The nature of the case excludes proof in a juridical sense of the term, but it invites an unerring moral conviction.

Secretary Daniels, in his last report and in his statement before the Senate Naval Committee, said the three bids in the last "competition" agreed to a cent.

The hearing before the committee brought out no new facts. The armor men of 1916 showed the same capacity for talking without saying anything as that exhibited so artistically by their brethren of earlier years. The same talk of the "value of trade secrets"; the same reluctance to talk cost of production; the same plea of having been encouraged by the Government to go into the business and the consequent unfairness of Government competition; the same inability to recognize that if such a quasi partnership as they claim exists between

them and the Government they should, in all fairness, shoulder its liabilities as well as insist on its benefits; indeed, about the only material difference between the hearings of 1916 and those other numerous ones that have followed each other so regularly and so fruitlessly since 1895 is that of dates. To go into these reports would be a waste of time. They are published in pamphlet form and can be easily obtained by interested parties from the document room. The hearings before the Senate committee on this subject are also obtainable, as they have been printed.

It suffices to say that the committee is of the opinion that the Government has been charged unreasonable prices for its armor plate, and that the only remedy lies in the Government owning and operating a plant, as provided for in Senate bill 1417. Should the Government build it and then lock it up, and it never be used, it would be wise to erect it, as it would serve as a warning to private manufacturers that there is a point beyond which the Government will not be driven and where patience ceases to be a virtue.

The committee, therefore, by a vote of 9 to 3 of those present, ordered the bill reported favorably, and expresses the hope that it will soon become a law.

Mr. TILLMAN. Mr. President, the report of this bill which has just been read explains some of the reasons why it is important it should pass promptly. In the speech made by me December 13, 1915, when the bill was introduced, I gave what appeared to me to be unanswerable reasons why the bill should pass, and pass without any unnecessary delay whatever. Very few Senators heard that speech, because it was delivered at the lunch hour, and very few read it, perhaps. I will take pleasure in furnishing any Senator with a pamphlet copy who desires it.

An additional reason for promptness and expedition is this: With the utmost dispatch possible, it will take from 18 months to 2 years to build this plant and get it in running order; and the threat of those who are making armor that they would charge the Government \$200 per ton more for armor hereafter, if the Government constructed its own plant, which was voiced by the Senator from Pennsylvania to the committee in executive session, shows the temper of those men at this time and makes it more vital for Congress to teach them a lesson. The best answer to that threat is the passage of this bill as promptly as possible.

While the manufacture of armor is highly technical and scientific, I have no doubt whatever that the Government can find skilled mechanics who are now working for private concerns who will be glad to enter the Government service and perform the same work in its armor factory that they are now doing for private parties. Neither have I any doubt about the Government's ability to buy the necessary machinery; and it is imperatively necessary that legislation authorizing the erection of this plant, or the purchase of one of the existing plants and its enlargement, be had immediately. The longer we delay, the more money the Government will lose and the longer we will be in getting the new ships already authorized and those to be authorized by this Congress. I have no doubt that the naval program, when agreed on by the two Houses, will approximate the number of ships asked for by President Wilson, and the sooner the Government is free from any possible danger of a "holdup," such as has been threatened, the better for the Treasury and the country, too.

If the Senator from Pennsylvania were here, I would ask him to tell the Senate just what he told the committee last week; but his Republican colleagues who voted with him will remember what he said, and perhaps one of them will explain just what he meant. I confess I myself was shocked at the insolence of it—not from the Senator, because he had a right, but from the men who authorized him to speak as he did.

I believe, if the authority is given and the money provided, we can either build or buy one of the existing plants and be equipped to manufacture the amount of armor needed inside of two years; but nothing whatever can be done by the Navy Department or anyone else until Congress acts. So, the sooner Congress does pass this bill the sooner the country will begin to get ready to defend itself and, if it should be necessary, to maintain the Monroe doctrine after the European war is over. There is both time and money to be saved by the prompt passage of this bill.

Therefore I am urging its passage through the Senate as promptly as possible, expecting some little delay in the House. This bill ought to become a law early in March and the Navy Department be mobilized by furnishing it the money and the authority.

Mr. POMERENE. Mr. President, I should like to ask the Senator from South Carolina a question. Is the Senator able to tell us what the Government is now paying for armor plate, and also what is the reasonable cost of production?

Mr. TILLMAN. My recollection is that the last contracts were for \$425 per ton; but from the best information obtainable by the committee, I think, the price at which it can be manufactured is about \$262 per ton.

INTERSTATE AND FOREIGN COMMERCE.

Mr. SHIELDS. I move that the Senate proceed to the consideration of the unfinished business.

Mr. NEWLANDS. Mr. President, I will ask the Senator from Tennessee whether he will not yield to me to request the regular order for the purpose of considering a joint resolution for the appointment of a joint subcommittee from the Interstate Commerce Committees of the Senate and House for the investigation of the transportation question? It will not take much time in debate, so I am informed, only two Senators desiring to speak upon it. I am going away to-morrow to New Haven to keep an engagement to address the chamber of commerce of that city, and I should like to have the resolution disposed of to-day. I am sure we can dispose of it before 2 o'clock. The water-power bill will come up automatically at 2 o'clock.

Mr. SHIELDS. I understood the Senator to say there would be two or three speeches on the joint resolution.

Mr. NEWLANDS. There are only two Senators that I know of who intend to speak upon it.

Mr. SHIELDS. The discussion would probably extend beyond the hour of 2 o'clock, would it not?

Mr. NEWLANDS. I do not think so. I feel quite sure that it would be closed before 2 o'clock. We have already had quite an extended debate upon the joint resolution. It is simply for the appointment of a joint subcommittee of the Committees on Interstate Commerce of the Senate and the House.

Mr. SHIELDS. Will the Senator agree that the matter shall be laid aside at 2 o'clock?

Mr. NEWLANDS. At 2 o'clock, if the Senator insists on it; yes.

Mr. SHIELDS. I certainly shall insist on it. I can not yield for any measure that will extend beyond the time stated or in any way sidetrack the water-power measure.

Mr. NEWLANDS. I will state that unless it is satisfactory to the Senator from Tennessee, I will not urge its continuation beyond 2 o'clock.

Mr. SHIELDS. It will not be satisfactory to the Senator from Tennessee or those supporting this measure. I can only yield on the express condition that the joint resolution shall be laid aside at 2 o'clock. I understand that that is the agreement?

Mr. NEWLANDS. That is the understanding.

The VICE PRESIDENT. The Senator from Nevada asks unanimous consent that the Senate proceed to the consideration of Senate joint resolution 60. Is there any objection? The Chair hears none.

Mr. NORRIS. Mr. President, I object to that.

Mr. NEWLANDS. I move then that the Senate proceed to the consideration of the joint resolution.

Mr. NORRIS. I should like to inquire of the Senator why we should not take up the calendar in regular order. Then the joint resolution would be reached in regular order.

Mr. NEWLANDS. As I have said, there are urgent reasons for action on the joint resolution. The matter has been debated a number of times and it has been under consideration for some time. I therefore move that the Senate proceed to its consideration.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Nevada.

Mr. NORRIS. I ask for the yeas and nays on the motion.

The yeas and nays were not ordered.

The VICE PRESIDENT. All in favor of the motion of the Senator from Nevada will say "aye." Those opposed, "no." The "ayes" seem to have it. The "ayes" have it. The Chair lays the joint resolution before the Senate.

Mr. SHIELDS. I ask for the yeas and nays.

The VICE PRESIDENT. The request was made and refused.

Mr. NEWLANDS. I understand the Senator from Idaho [Mr. BORAH] desires to address the Senate on the joint resolution.

The VICE PRESIDENT. The joint resolution is before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 60) creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee.

Mr. BORAH. What is the status of the joint resolution?

The VICE PRESIDENT. The Chair is informed by the clerks at the desk that on January 25 the joint resolution was read in full, and that there are amendments of the Committee on Interstate Commerce which have not yet been acted upon.

Mr. BORAH. I do not desire to discuss it until after the committee amendments are disposed of.

Mr. NEWLANDS. Then I ask that the amendments be considered.

The VICE PRESIDENT. The first amendment will be stated.

The SECRETARY. On page 2, line 5, after the word "investigate," strike out the words "and report upon the subject of the regulation of interstate and foreign commerce" and insert "the subject of the Government control and regulation of interstate and foreign transportation, the efficiency of the existing system in protecting the rights of shippers and carriers and in promoting the public interest, the incorporation or control of the incorporation of carriers, and all proposed changes in the organization of the Interstate Commerce Commission and the act to regulate commerce," so as to read:

That the Interstate Commerce Committee of the Senate and the Committee of the House of Representatives on Interstate and Foreign Commerce, through a joint subcommittee to consist of five Senators and five Representatives, who shall be selected by said committees, respectively, be, and they hereby are, appointed to investigate the subject of the Government control and regulation of interstate and foreign transportation, the efficiency of the existing system in protecting the rights of shippers and carriers and in promoting the public interest, the incorporation or control of the incorporation of carriers, and all proposed changes in the organization of the Interstate Commerce Commission and the act to regulate commerce, with authority, etc.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The SECRETARY. On page 3, line 18, after the word "Congress," strike out "on or before the third Monday in December next" and insert "as expeditiously as may be," so as to read:

With authority to sit during the recess of Congress, with power to summon witnesses, to appoint necessary experts, clerks, and stenographers, and to do whatever is necessary for a full and comprehensive examination and study of the subject, and report to Congress as expeditiously as may be.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The SECRETARY. In line 19, after the word "that," strike out "a sum sufficient" and insert "the sum of \$25,000, or so much thereof as is necessary," so as to read:

That the sum of \$25,000, or so much thereof as is necessary to carry out the purposes of this resolution and to pay the necessary expenses of the subcommittee and its members, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee. [Putting the question.] The yeas seem to have it.

Mr. NEWLANDS. I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The amendment is lost.

Mr. NEWLANDS. That is entirely satisfactory.

The VICE PRESIDENT. If there are no further amendments—

Mr. NEWLANDS. The committee recommends that the preamble be stricken out.

The VICE PRESIDENT. That comes up after the joint resolution is passed, if it ever is passed.

Mr. BORAH. Mr. President, the vital portion of the joint resolution authorizing the investigation reads as follows:

The subject of the Government control and regulation of interstate and foreign transportation, the efficiency of the existing system in protecting the rights of shippers and carriers and in promoting the public interest, the incorporation or control of the incorporation of carriers, and all proposed changes in the organization of the Interstate Commerce Commission and the act to regulate commerce.

Thus the joint resolution would authorize the investigation of this particular subject matter by a committee.

I have offered an amendment, after the word "commerce," on page 3, to insert the following:

Also the subject of Government ownership of all public utilities, such as telegraph, telephone, express companies, and railroads engaged in interstate and foreign commerce and report as to the wisdom or feasibility of Government ownership of such utilities and as to the comparative worth and efficiency of Government regulation and control as compared with Government ownership and operation.

Mr. President, when I offered this amendment I did not have it in mind to disturb unduly the minds of those who are opposed to Government ownership. The amendment is offered purely for educational purposes, for the purpose of ascertaining the facts with reference to a matter which some time or other I have no doubt we shall have to meet in this country. The joint resolution, of course, with this amendment would not commit the Senate nor anyone favoring it to the proposition of Government owner-

ship. It would only provide for the investigation of a feature of the subject of transportation. It should be considered as an inquiry into a live question, a question upon which opinions are being made up.

The subject of Government ownership is inseparably connected with the question of transportation generally. No one undertakes to discuss in these days the subject of the efficiency of our transportation system without discussing the subject of Government ownership. Whether they are for it or against it, it seems to inhere in every discussion which takes place upon this subject.

I observe that in several discussions of late upon this subject of transportation by men who are thoroughly capable of discussing the question from every standpoint they have all felt the necessity of discussing the question of public ownership, either for it or against it. It is a live question both in the literature upon this subject and in the public discussions of the day.

About 20 years ago we began the system of regulation and control of the transportation facilities of this country. Now, after 20 years we propose to enter upon a thorough investigation of that system which we actually inaugurated many years ago. I advocate the proposition of entering upon an investigation of a feature of this transportation question in advance of the time when we shall be called on to pass upon the question rather than subsequent to the actual legislation. It seems to me a wise rule to look before you leap and to investigate before you legislate. Let us include, therefore, in our investigation all possible phases of the question.

I have before me the speech of the distinguished Senator from Alabama [Mr. UNDERWOOD] made a few days ago in Chicago, in which he refers to this question of public ownership in his discussion of the question of the efficiency of our transportation system. I call attention to it not because he either advocates or opposes the proposition, but because in discussing the general question he felt called upon to refer to the question of public ownership for the reason, I assume, that he felt it to be a part of the subject under discussion, to wit, transportation.

I have also before me the address of the Senator from Massachusetts [Mr. WEEKS], in which he discussed at length the question of public ownership some time ago in the city of Baltimore.

I have on my desk the article of Mr. KAHN upon the transportation and railroad question, in which he discusses the question of public ownership; also that of Mr. Dunn, the able and brilliant editor of the Railway Gazette, who refers to the subject. None of these gentlemen, as I understand, are in favor of public ownership, yet they have felt the necessity of studying it, of inquiring into it as a practical proposition, and of expressing their views upon the subject to those before whom they were called to speak or to whom they addressed their literature.

I might cite numerous instances to the effect that this is a part and parcel of the transportation subject in this country. It will be more so when the great conflict in Europe shall have closed. In my judgment the things which have transpired in an industrial way in the countries now at war in Europe since the beginning of the war will have moved forward the question of public ownership of public utilities more rapidly than without the war the question would have gone within the next 50 years.

The most efficient industrial unit in the civilized world at the beginning of this war was the German nation, and it will still be, in all probability, at the close of the war the most efficient, the most thoroughly organized, the best equipped industrial unit in the industrial world.

There are a great many people who believe that one of the effective instruments of German industrial efficiency is that the public utilities of Germany are in public ownership. Her railroad system belongs to the Government, and it will be asked, if these things are essential and indispensable to efficiency and success in war, why are they not also efficient and beneficial in time of peace?

Both England and France have in the emergency which has confronted them felt called upon to follow, in a very large measure, in the course mapped out by Germany with reference to her industrial and transportation questions. France and England have both moved forward in public ownership since the beginning of the war at a tremendous rate, and, in my judgment, will not move back to the original status after the war shall have closed.

Our literature, Mr. President, is teeming with arguments pro and con superinduced and caused by conditions growing out of the war as to the efficiency, the wisdom, or the unwisdom of public ownership of public utilities. We will unquestionably, as evidenced by the able men who are discussing this question before the public, though not in favor of it, be called upon to meet

this subject, not only here in the halls of legislation, but in public discussion generally.

If that be true, why should we not have as a part of this subject and a part of the work of this commission a thorough study and investigation of this important question? If it be, as is supposed by some, a menace; if it be true, as it is contended by many, that Government ownership would mean practically the end of the kind of a government which we have, all the more reason, Mr. President, why there should be a thorough study in advance, and long in advance, of the time when we should be called on to pass upon it. Can we begin a thorough and deliberate investigation, a full and conscientious study of so tremendous a question too soon.

I am a believer that with proper information and thorough discussion you may leave these subjects very safely to the judgment of the American people. I am, on the other hand, aware that nations, the same as individuals, make fearful mistakes by reason of a failure to investigate the subject upon which they are called to pass in advance of the time when they are called upon to dispose of it.

I offered this amendment, as I said, purely as an educational proposition, for the purpose of gathering the data and the information which may be had upon the subject, so that we may have it, that the public may have it, and that we may consider it in the light of the facts and that the public may reflect upon it in the light of the facts. No one will deny that there are not only hundreds but thousands of people in this country who are earnestly in favor of public ownership now. If it be true that it is unwise, and facts, as said by the Senator from Massachusetts at Baltimore a few days ago, will prove it to be unwise, why should anyone who is opposed to public ownership oppose the investigation and the revelation of the facts?

Mr. KAHN, in his illuminating article in the *World's Work* of the last issue, in referring to this subject of what American railroads need, said:

It is in every way a far better system than Government ownership of railroads—

That is, the regulation by the Interstate Commerce Commission—

which, wherever tested, has proved its inferiority, except only in Germany, and the very reasons which have made government ownership measurably successful in Germany are the reasons which in America would make it nothing short of an economic calamity, being given political and other circumstances as they now exist and are likely to continue to exist for a long time to come.

Perhaps the writer is correct, but able men are presenting the other side. I would like to see Mr. KAHN's views elaborated before a committee. They would be worth while.

A gentleman entertaining the views that Mr. KAHN does, that it would be an economic calamity, ought to be most aggressive in favor of disclosing the facts which would satisfy any reasonable mind that it would be an economic calamity.

Mr. THOMAS. Mr. President—

Mr. BORAH. I yield to the Senator.

Mr. THOMAS. I should like to ask the Senator whether, as a matter of fact, those who oppose the amendment which the Senator offered have not the burden of proof upon them to show why it should not be adopted. What is the purpose of this investigation, in other words, unless it shall cover every phase of the pending railroad situation, the most prominent of which in the public mind is precisely that which the Senator in his amendment covers? I should like to know what the argument against it is, and why the joint resolution was not so drawn as to include this very important feature of the investigation.

Mr. BORAH. I have been led to believe that there were those connected with the committee or on the committee who thought that probably it did cover the question of Government ownership. I offered this amendment in the interest of clarity of language, so that there could be no doubt about the matter; and when I found that there was opposition I came to the conclusion that the committee as a committee, notwithstanding the view of some individual members, was opposed to it.

I agree with the Senator from Colorado that the burden of proof rests upon those who are opposing it, for the reason that it is inseparably a part of the transportation question. It is so much a part of it that those who are most opposed to it feel the necessity of discussing it and criticizing it upon every public occasion, and if they be correct in their opposition they ought to assist in the passage of this amendment to make no question about the investigation of the subject.

Mr. NORRIS. Mr. President—

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

Mr. BORAH. I yield to the Senator.

Mr. NORRIS. Mr. President, in connection with the question asked by the Senator from Colorado [Mr. THOMAS], I should like, with the permission of the Senator from Idaho [Mr. BORAH], to call attention to the fact that several days ago, when we were discussing this resolution, I think the Senator from Nevada [Mr. NEWLANDS] gave as one of the reasons for its introduction and passage that we ought not to legislate during a campaign, but that the question ought to be considered when there was no politics in the country, and, therefore, he thought the resolution ought to be passed now, so as to take the question over beyond the next election. I called attention in that discussion—and I think the Senator from Nevada will agree with this—that the resolution really comes here because of the request contained in the last address to Congress by the President.

Mr. THOMAS. Mr. President, if the Senator will yield for a moment, I merely wish to say that I was necessarily absent from the Chamber on the occasion referred to by the Senator from Nebraska, being engaged in committee work; but I do not understand that this resolution, if it shall pass to-day, could be carried out and reported back to the Senate before another election shall have been held.

Mr. NORRIS. It is not intended to do that. It is simply a peg upon which to hang a reason for those who want to have that kind of a reason, why we did not legislate on the transportation question.

Mr. THOMAS. If it is not intended to do that, if such is not the purpose, then surely that is an added argument in support of the proposition that no harm could come—even political harm—in extending and expanding the terms of this resolution so as to include an investigation of the most important feature in the railroad situation to-day.

Mr. NORRIS. I am not making any suggestion in opposition to the amendment of the Senator from Idaho.

Mr. THOMAS. I understood the Senator from Nebraska perfectly.

Mr. NORRIS. I think, if the amendment of the Senator from Idaho shall be adopted, it will be the meat of the whole thing. It has not any other meat in it, in my judgment.

Mr. NEWLANDS. Mr. President, if the Senator from Idaho will permit me, in reply to the Senator from Nebraska, I have to state that whilst it is my individual opinion that it will be much better to take up these very important questions at the next session, rather than at this, when we have so much pressure of legislation upon us, when the consideration of politics really outweighs almost everything else, yet it is my intention, if this committee is organized, to proceed immediately with this investigation; and if any of this legislation can be shaped in such a way as to present it to this Congress, I shall urge it when an opportunity offers.

Mr. BORAH. Mr. President, the portion of the President's message upon which, as I understand, this resolution is based reads as follows:

The transportation problem is an exceedingly serious and pressing one in this country. There has from time to time of late been reason to fear that our railroads would not much longer be able to cope with it successfully, as at present equipped and coordinated. I suggest that it would be wise to provide for a commission of inquiry to ascertain by a thorough canvass of the whole question whether our laws as at present framed and administered are as serviceable as they might be in the solution of the problem. It is obviously a problem that lies at the very foundation of our efficiency as a people. Such an inquiry ought to draw out every circumstance and opinion worth considering, and we need to know all sides of the matter if we mean to do anything in the field of Federal legislation.

No one will contend that you can "know all sides of the matter," or that you will draw out all opinions in regard to the transportation question, or that it will be thorough and efficient unless you include what you might say is one-half of the entire question—that is, whether or not regulation and control are breaking down; and, if so, what is going to take their place. Can you know "all sides" of this subject if you confine your inquiry to regulation? Will you not in advance show that you do not want to "know all sides"? Those who feel so thoroughly satisfied that Government ownership is bad should not hesitate to present that side of the transportation question.

There are a great many people in this country—men in business, students of the subject—who believe that regulation and control are breaking down. The railroads are not satisfied. Mr. KAHN shows beyond question in his article, from their standpoint and from their viewpoint, that there must be changes in order that the railroads may thrive or do business in this country at all. He shows very clearly, admitting his premise, that under the present system and under the present powers of the Interstate Commerce Commission as administered by it, the railroads can not prosper; that they can not thrive; that they can not even keep up to what he argues is now their diminished

efficiency. If regulation and control are so discredited that you must overhaul the entire system and practically start again from the beginning to find out whether or not we are upon the right track and whether or not that is the proper method of dealing with the transportation question, how are you going to separate that great problem from the other question of whether or not public ownership is not more desirable, as it has proven, they claim, in Germany, than regulation through commission?

Mr. President, it was solely in the interest of ascertaining the facts and for educational purposes, and for that alone, that I offered this amendment. We shall just as surely be called upon to meet that question within the lifetime of men who are sitting in this Senate as time goes on. We may reject public ownership. If we reject it, we want to reject it wisely. On the other hand, we do not want to adopt it and enter upon such a tremendous task and far-reaching policy without the most thorough investigation, carried on not for a day or for a fortnight or for a few months, but through years in advance of action upon the subject. Could there be any time too soon to enter upon the investigation of such a question as this which, in the minds of many people, will involve even the life of the Government which we have?

I referred a few moments ago to an address by Mr. Dunn, editor of the *Railway Gazette*, in which he discusses this subject under the head "The Government and business." In this address he says:

In brief, we have seen the Government, by the repeal of some laws, by the manifestation of increased zeal in enforcing others, and by the passage of still others, withdrawing a helping hand from business of many kinds, and at the same time imposing on them and others new and heavy burdens and restrictions.

While everybody has been sure that his business ought to be given public support and ought not to be subjected to public control, everybody has also been convinced that almost everybody else's business ought not to be given public support and ought to be subjected to public control.

Between the socialists and those who believe merely in Government regulation of business is a large number of persons who favor public ownership and management of certain classes of concerns. Some of these advocate public ownership only of so-called "public utilities." Others would include coal mines, and so on. Indeed there is hardly a kind of business concern the public ownership of which is not advocated by one group of persons or another who at the same time deny that they are socialists.

The extreme advocates of Government regulation tend to become advocates of Government ownership. The advanced advocates of Government ownership are scarcely distinguishable from, and tend to become socialists. It is plain, therefore, where a continuance of the growth of public sentiment in favor of Government interference with and control of business, and of legislation resulting from the growth of that sentiment, would ultimately take us.

Many are now beginning to realize this and to awake to the fact that the amount and variety of regulatory legislation already passed are so great that there are few concerns of substantial size in the country that are not being directly affected by it.

Our policy of Government regulation must bear a large part of the responsibility for the condition which for some years has prevailed, and still to a great extent prevails, in the transportation industry and for the adverse influence it has exerted on all kinds of business and all classes of people.

This entire address is well worth any man's reading and re-reading. It shows we are far, far removed from a satisfactory solution of the problem of transportation. While of course it does not support Government ownership, yet it does lead one to reflect that if we have so fearfully failed we ought not to stop short of a patient, unbiased, and broad-minded review of the whole subject of transportation and gather to ourselves the experience and the wisdom of all Governments which have dealt with the subject. We ought not to be afraid to inquire nor too proud to learn.

Now, if Mr. KAHN and Mr. Dunn and other men—and no one will challenge their capacity to deal with the subject from their viewpoint—are of the opinion that regulation through the Interstate Commerce Commission as it now exists is responsible for what they state, in so many words, is the paralyzed condition of the transportation system of the country, and that is revealed and satisfactorily shown to the committee, the question which will arise in every man's mind will be whether or not the present system may not be successfully supplanted by public ownership. You can not have a discussion of that question nor a consideration of it from any broad or comprehensive standpoint at all without including it in the scope of the proposed inquiry. No man undertakes to discuss the transportation question without including it; and yet we are about to enter upon an investigation which, as the President says, shall draw forth the opinion of all men in regard to the subject, and which shall be thorough and complete, and which, as the President says, shall embody the views of all as to different methods of the treatment of the question.

Something of the seriousness of the railroad question may be gathered from what promises to be a strike within the next few months or weeks. Let us review, Mr. President, very briefly the issues which are to come up in that contention, for nothing could more thoroughly illustrate the proposition that the regulative system has not thus far been a success. Any system which subordinates the great transportation facilities of the country to a paralyzing condition of affairs such as would follow from a strike like this can not as yet be considered a success. A system which does not include every phase of the problem—just compensation to labor, just treatment of the railroads, security and safety and fair returns to the investor—is not a satisfactory system. Labor must be paid; taxes must be met; railroads must operate; and if the system of regulation can not take care of all these things, then something else will come to take its place. If you have not the facts to prove that Government ownership is unwise, it will be seized upon at once as the remedy. If the facts do prove it to be wise, then we want it, for our present condition is next to unbearable.

If we should ever be called upon to meet the situation which we are in a sense anticipative of by reason of the great program of preparedness which is being slowly presented, the first essential of thorough preparedness would be the efficiency of our transportation system; and if that transportation system should be in such a condition at that time that such a situation as is now promised could arise, we would be powerless before the enemy. We would have to do what Germany has done; we would have to do what England did when her ammunition supply began to fail; we would have to do what France has done—that is, put the entire transportation system under the control of the Government, and completely under its control.

I quote now from a newspaper article, which is headed "Chief factors in proposed eight-hour demand on railroads":

Railroads involved: All roads in the United States and some in Canada.

Mileage covered: 250,000 miles.

Unions: Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Engineers, Order of Railway Conductors, Brotherhood of Railway Trainmen.

Number of men involved: Between 350,000 and 400,000.

Total wages paid this class of railroad employees, 1914: \$386,000,000.

Total operating revenues of railroads affected, 1914: \$3,047,019,908.

Total operating expenses: \$2,200,313,159.

Total capital securities: \$20,247,300,000.

Proportion of railroad revenues paid to labor, 1914: 45.14 per cent; 1907, 41.42 per cent.

Proposed demand: "Eight hours or less" to constitute a day instead of "10 hours or less," as present agreements read. All overtime to be paid for at time and one-half the pro rata rate instead of merely the pro rata rate.

Estimate of railroad managers as to increase this would mean in operating expenses: From 25 to 40 per cent.

When demand will probably be made: March 1, on conclusion of present referendum vote.

I also quote another article, as follows:

WHAT RAILROAD MANAGERS SAY OF PROPOSED EIGHT-HOUR DEMAND.

That it would add millions to their pay rolls.

That because of wage increases between 1910 and 1914 a total of \$250,000,000 was added to their pay rolls for the same number of men.

That because of wage increases awarded to the four classes involved in the present demand—engineers, firemen, conductors, and trainmen—their earnings have jumped in four years \$70,000,000.

That the proposed schedule would be in effect an increase of 25 per cent in the freight speed basis for wage computing.

That it would mean an increase of 87½ per cent in the overtime rate.

That many engineers are now paid more than bank presidents in small communities.

That more than 1,500,000 other employees would get no benefit.

That the 600,000 stockholders of the railroads now get less than 2 per cent of the gross earnings.

That the employees, on the other hand, now get 45 per cent of the gross earnings.

That the employees involved in this demand, although numbering only 19 per cent of the railroad army, now absorb 28 per cent of the railroads' gigantic pay roll of \$1,500,000,000 a year.

That money to meet this demand could be obtained only by reducing the wages of other employees, reducing payments for interest and dividends, curtailing betterment expenditures demanded by the public, or asking the Government for a proportionate increase in freight rates.

This is a tremendous problem, and, of course, I do not assume at this time to discuss the merits of either side.

I call attention to these facts simply to show something of the nature of the issue which will be involved if such a condition of affairs should arise as is expected in the next two or three months. We will then be face to face with the question whether or not our method and our manner of dealing with the transportation question has such virtue as will enable it, in a successful or effective way, to deal with the problem which will be presented.

The argument upon the other side, with reference to Government ownership, is that under Government ownership that condition of affairs could never happen. I do not say that that statement is based upon sound reasoning or logic, but it is argued by those who are now discussing this very question that the only solution for such a condition of affairs is Govern-

ment ownership. Whether that is true or untrue, I want the committee which is proposed to be created to ascertain and to report; whether it is wise or unwise, I want the committee's view in regard to that, and that, Mr. President, was the sole purpose and the only purpose I had in offering this amendment, namely, to round out, complete, and make comprehensive and full this proposed investigation, to do precisely what the President says, give every viewpoint which may lead to a successful consideration of that matter.

Mr. NEWLANDS. Mr. President, the Senator, with his usual foresight, has suggested a very important question for the consideration of the Senate, a question which we must meet at some time in the future, but which, in my judgment, should not be covered in the proposed investigation by an instruction of Congress. The language of the resolution is sufficiently broad to cover an inquiry into Government ownership and operation of railroads, and I am sure the committee will listen to any well-considered proposal upon that subject. Such an inquiry, if carried on effectively, would cover a very long period of time and would require a very large expenditure of money. It will require investigation not only at home, but abroad, and particularly in countries where Government ownership has been resorted to; and just now, of course, it would be almost impossible to consider this question on the ground in the principal countries that now have Government ownership, for they are in the throes of war and are in such a state of confusion that it would be utterly impossible for outsiders to obtain access to the proper information or to obtain the proper guides for action.

Whilst I admit that the Government of England is being rapidly socialized, as are the Governments of other nations involved in this war, and that the Democratic socialism of England is engaged in a deadly contest with the autocratic socialism of Germany, the results of which will be most instructive, I think any study at present of these conditions will be fruitless.

The inquiry which the Senator presents not only covers transportation, but also covers telegraph lines, express companies, and so forth. It is a very broad inquiry. Individually, I have no prejudice against Government ownership. I have a perfectly open mind upon the subject. I am ready at any time to vote for Government ownership where the exigencies of the situation require it. I voted for Government ownership in Alaska, because without it apparently the latent resources of that Territory could not be developed. When it was demonstrated that we could not, through our merchant marine, meet the requirements of foreign commerce in this cataclysm of war, I not only voted for the Government acquisition of ships, but I also went even to the extent—somewhat against my judgment, because I thought it unnecessary at the time—of yielding to insistence for Government operation.

So I have no prejudice whatever against the Senator's proposal; but I do think that just now our inquiry should be confined first to the question of perfection of regulation. I do not believe public regulation has broken down. At all events, it has not sufficiently broken down to warrant us to-day in taking up seriously the question of Government ownership. There must be further developments in the future to force that consideration upon us. Meanwhile it is our duty to perfect Government regulation.

What are the questions which are presenting themselves to us with reference to Government regulation? First, the reorganization and enlargement of the Interstate Commerce Commission, which is to-day overburdened. We feel that there should be some provision for enlarging the commission and we shall consider the proposals for dividing it into branches or divisions, which shall sit contemporaneously upon important matters, and thus meet more rapidly the requirements of the business of the country. There is also the question of the organization of these great interstate systems, the question as to whether we shall compel these great systems which embrace numerous States to go to an individual State and give them their choice of such States in perfecting their corporate organization—if we do that they will always go, of course, to the State that has the least restrictions—or whether we shall compel them, or at all events give them the opportunity, to resort to the National Government itself for their charters.

Then there is the question of securities—a most vital question and one that will absorb our interest for some time as to the extent to which the securities issued by railroads shall be controlled by the Interstate Commerce Commission.

Mr. NORRIS. Mr. President, will the Senator yield there for a question?

Mr. NEWLANDS. Certainly.

Mr. NORRIS. When the bill was pending here that had passed the House, and that the Senator himself reported to the Senate,

in favor of the regulation of the issuance of those securities, did the Senator then feel that there ought to be more investigation before we passed a law of that kind?

Mr. NEWLANDS. No. I was very much impressed with the importance of legislation on the subject; but I saw—

Mr. NORRIS. Why is it that the Senator has changed his viewpoint?

Mr. NEWLANDS. I have already stated that on a previous occasion. The bill was never reported until toward the close of the exhaustive long session in 1914, in which we had been considering most important measures, such as the Trade Commission bill and the Clayton bill, and at a time when Congress was practically exhausted; and it was concluded that that was not the time to take up that matter, because a great and serious difference of opinion had arisen in the committee itself as to the wisdom of the bill which we had theretofore reported, and reported, I think, unanimously. Then came the short session, and there were precipitated upon us all these questions that related not only to the Mexican War but to the European War; and in the short session it was impossible to bring it up for consideration.

Mr. NORRIS. Then the Senator does not expect, even after this investigation is made, that at the next session, which is a short session, any law could be passed regulating the issue of securities?

Mr. NEWLANDS. Yes; I should hope so, and I should hope to be able, possibly, to report a bill regarding securities at this session. I should hope that would be the case.

Mr. NORRIS. Does the Senator expect to do anything of that kind?

Mr. NEWLANDS. I can not say. I should hope to do it. I say we will take up the whole investigation in good faith.

Mr. NORRIS. Does the Senator believe that the joint committee could make any further investigation than the Senate committee and the House committee have already made on that particular point, referring now particularly to stocks and bonds?

Mr. NEWLANDS. I am sure deliberation in the committee itself would probably result—I should hope it would result—in our making a practically unanimous recommendation, instead of being divided, as we are now, upon various points.

Mr. NORRIS. The Senator's committee was not divided when it reported that bill.

Mr. NEWLANDS. That is true; it was not divided then, but it was divided afterwards, before the bill came up for consideration. Such Senators as the Senator from Wisconsin [Mr. LA FOLLETTE], a Senator whose antagonism to any measure means a fight, and whose ability to conduct a spirited and able fight can not be discounted, were against the bill as reported.

Mr. NORRIS. Does the Senator mean to say that the Senator from Wisconsin had changed from a Senator favoring the bill to one opposing it at that time?

Mr. NEWLANDS. No; I can not say that, because I do not think the attention of the Senator from Wisconsin was brought very seriously to the consideration of the bill before it was reported. I do not think he participated in the deliberations. My impression is that he was ill at the time, or at all events was not well, and was not attending as closely to committee business as usual.

Mr. President, I am reminded that it is very nearly 2 o'clock. I am very anxious to have a vote upon this subject; and I trust we shall be able to dispose of the joint resolution without placing this amendment upon it.

Mr. BORAH. Mr. President, I am not willing that this amendment should be disposed of in the presence of only 10 or 12 Senators. I ask for a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Hardwick	Nelson	Smith, Ga.
Borah	Hollis	Newlands	Smith, Md.
Brandegee	Hughes	Norris	Smoot
Broussard	Husting	Oliver	Sterling
Bryan	James	Overman	Stone
Catron	Johnson, Me.	Page	Sutherland
Chamberlain	Kenyon	Pittman	Thomas
Clapp	La Follette	Poindexter	Thompson
Clarke, Ark.	Lane	Pomerene	Underwood
Cummins	Lee, Md.	Ransdell	Varjaman
Curtis	Lippitt	Reed	Walsh
du Pont	Lodge	Sheppard	Warren
Gallinger	McCumber	Sherman	Williams
Gronna	McLean	Shields	
Harding	Martine, N. J.	Simmons	

Mr. MARTINE of New Jersey. I desire to state that the senior Senator from New York [Mr. O'GORMAN] is absent on official business.

Mr. POMERENE. I desire to announce that the junior Senator from Delaware [Mr. SAULSBURY] is necessarily detained by official business.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present. The pending question is the amendment of the Senator from Idaho [Mr. BORAH].

Mr. BORAH. Mr. President, before a vote is taken on the amendment, I desire to make a change of a word, for the purpose of perfecting the amendment. I ask that the last word, "regulation," be stricken out and the word "operation" inserted.

The VICE PRESIDENT. The Secretary will state the proposed modification.

The SECRETARY. The Senator from Idaho modifies his amendment by striking out the word "regulation," the last word in the amendment, and inserting in lieu thereof the word "operation."

Mr. SMOOT. I ask that the amendment as modified be stated.

The SECRETARY. On page 3, line 13, after the word "commerce," it is proposed to insert:

Also the subject of Government ownership of all public utilities, such as (telegraph, telephone, express companies, and railroads engaged in interstate and foreign commerce, and report as to the wisdom or feasibility of Government ownership of such utilities, and as to the comparative worth and efficiency of Government regulation and control, as compared with Government ownership and operation.

Mr. BORAH. On that amendment I ask for the yeas and nays.

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

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. That Senator is unavoidably absent, and for that reason I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. In his absence I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the junior Senator from South Carolina [Mr. SMITH] and will vote. I vote "yea."

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

The roll call was concluded.

Mr. CATRON. I have a general pair with the senior Senator from Oklahoma [Mr. OWEN], who is absent. I do not know how he would vote if present. If I were at liberty to vote, I would vote "yea."

Mr. POMERENE. I desire to announce that the junior Senator from Delaware [Mr. SAULSBURY] is necessarily detained from the Senate on official business.

Mr. HOLLIS. I announce my pair with the junior Senator from New York [Mr. WADSWORTH] and withhold my vote.

Mr. GALLINGER. I transfer my pair with the senior Senator from New York [Mr. O'GORMAN] to the senior Senator from Delaware [Mr. DU PONT] and will vote. I vote "nay."

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

The Senator from Idaho [Mr. BRADY] with the Senator from Oklahoma [Mr. GORE];

The Senator from Maine [Mr. BURLEIGH] with the Senator from Indiana [Mr. SHIVELY];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The senior Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The junior Senator from Michigan [Mr. TOWNSEND] with the Senator from Florida [Mr. BRYAN].

The result was announced—yeas 39, nays 23, as follows:

YEAS—39.

Ashurst	Harding	McCumber	Sherman
Borah	Hughes	McLean	Shields
Broussard	Husting	Martine, N. J.	Sterling
Chamberlain	Johnson, Me.	Nelson	Thomas
Clapp	Johnson, S. Dak.	Norris	Thompson
Clark, Wyo.	Jones	Pittman	Tillman
Clarke, Ark.	Kenyon	Poindexter	Vardaman
Cummins	La Follette	Pomerene	Walsh
Curtis	Lane	Shafroth	Works
Gronna	Lee, Md.	Sheppard	

NAYS—23.

Bankhead	Lippitt	Simmons	Sutherland
Brandegee	Lodge	Smith, Ariz.	Swanson
Dillingham	Martin, Va.	Smith, Ga.	Underwood
Gallinger	Newlands	Smith, Md.	Weeks
Hardwick	Oliver	Smoot	Williams
James	Page	Stone	

NOT VOTING—34.

Beckham	Fall	Myers	Saulsbury
Brady	Fletcher	O'Gorman	Shively
Bryan	Goff	Overman	Smith, Mich.
Burleigh	Gore	Owen	Smith, S. C.
Catron	Hitchcock	Penrose	Townsend
Chilton	Hollis	Phelan	Wadsworth
Colt	Kern	Ransdell	Warren
Culberson	Lea, Tenn.	Reed	
du Pont	Lewis	Robinson	

So Mr. BORAH's amendment was agreed to.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 3331.

Mr. NEWLANDS. I am sure the Senate is ready to vote now upon the joint resolution, and I will ask the Senator from Tennessee if he will not permit the bill to be temporarily laid aside for that purpose.

Mr. SHIELDS. I will agree that the unfinished business may be laid aside temporarily for a vote upon the joint resolution, with the distinct understanding that there is to be no further debate. Otherwise I can not agree to it.

Mr. GALLINGER. That can not be had.

The VICE PRESIDENT. That can not be had. The joint resolution is as in Committee of the Whole and still open to amendment.

Mr. NEWLANDS. I understand that there is no disposition to debate it.

Mr. GALLINGER. I object to the unfinished business being laid aside.

Mr. LODGE. I object. Let us have the regular order.

The VICE PRESIDENT. There is objection, and the unfinished business is before the Senate.

WATER-POWER DEVELOPMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

Mr. SHIELDS. I ask for action upon the amendments of the Committee on Commerce.

The VICE PRESIDENT. The first amendment of the committee will be stated.

The SECRETARY. On page 18, line 17, after the word "not," strike out the words "until the time herein fixed for termination."

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

The amendment was agreed to.

The next amendment was on page 18, after the word "repeal," to strike out the words "and then only" and insert the word "except," so as to make the proviso read:

That in case any grantee hereunder shall, at the time of such alteration, amendment, or repeal, have exercised rights in accordance with this act, such rights and the property used thereunder shall be deemed property rights of such grantee, of which such grantee shall not be deprived by such alteration, amendment, or repeal, except upon the conditions provided in case of termination by section 6 of this act.

The amendment was agreed to.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). This completes the amendments of the Committee on Commerce. The bill is as in Committee of the Whole and still open to amendment.

Mr. WALSH. Mr. President, I desire to direct the attention of the Senator in charge of the bill to the clause at the bottom of page 2 and the top of page 3. I am unable to understand what its significance is or that it has any. First, section 1 of the bill provides:

That the word "persons," as used in this act, shall be construed to mean both the singular and plural, as the case demands, and shall be construed to mean political subdivisions of States, municipal corporations, corporations, companies, and associations; and the term "grantee" herein shall mean any such persons to whom shall be granted a permit as herein provided.

Then follows the language:

Provided, That when the power to be developed by the project and improvement of the stream for navigation is used or to be used for a public-utility purpose or purposes the grantee must be a municipal corporation, or a political subdivision, or other agencies of a State, or a public-service agent of a State, or a public-utility corporation created and organized under the laws of a State or the United States, authorized to engage in the business of furnishing water, heat, or electric energy for public or private use, and whose rates and charges and service shall be subject to regulation by the laws of the State or a duly constituted commission or other agency of said State.

Section 2 provides that the Secretary may grant permits to any of the persons mentioned in section 1. Now, it is provided that when the grant is to be made for public utility purposes it

must be made to persons therein designated. Then it is provided by the language to which I am addressing my remarks as follows:

But in any case where the State has not made provision for authorizing municipal organizations, political subdivisions, or other agencies of the State or public utility corporations or agencies to engage in said business—

That is, the business of furnishing water for developing energy for public or private use—

the qualifications of the grantee prescribed in this proviso shall not apply.

Mr. President, I imagine that there is no State in the Union whose laws do not permit municipal corporations, political subdivisions, or other agencies of the State, or public utility corporations or agencies to engage in said business. I can not conceive that there is such a State; but if there is a State which denies to all those various classes the right to engage in the business of furnishing water, heat, and power for public and private use, who is there in that kind of a State who may engage in that kind of business? There is not anybody left except private persons. If that is the case, then you certainly do not want that provision in. You, it seems to me, ought not to permit these powers to be acquired for the purpose of generating heat, light, or power to be distributed for private or public use except by a political subdivision of a State or some other agency of a State or by a public-service agent or a public utility corporation. I do not see any purpose to be subserved by that language, and therefore, Mr. President, I move to amend by striking out from the semicolon in line 24, page 2, to the semicolon in line 4, page 3.

Mr. SHIELDS. I wish to say that there is a very good purpose served by that language. It is possible that there may be a situation or condition arise in which there is no subdivision of the State or public-utility company that has authority to develop water power as provided for in the bill, and in that event natural persons ought to be authorized to do so. Natural persons are included in the general definition of persons in the section just above where the lines moved to be stricken out occur.

It is said that there is no State in the Union that does not authorize subdivisions, municipalities, and public-utility corporations to engage in this business. If this is so, as a matter of course this can do no harm; but I understand that there are some States which do not authorize their municipalities or subdivisions to do this, and it is intended to cover every possible case and insure the development of water power for municipal purposes.

This is a section that relates to the development of water power for municipal purposes, and there ought to be no case in which it can not be done. Certainly under the Senator's own statement it can do no harm, and it is evident it may possibly conduce to the development of water power in some cases. I hope the lines will not be stricken out, for it is believed they will subserve a useful purpose in some cases.

Mr. WALSH. I should like to say a word further, Mr. President, with respect to that matter. In a State which authorizes political subdivisions and public-service corporations to engage in this business, and likewise authorizes private persons to engage in this business, you deny by this bill the right of a private person to acquire a permit under the bill; but in a State which does not even exercise so much care in this matter as to require that those who undertake it shall undertake it under the limitations imposed by the law, you give in that State the right for a private person to engage in it. I inquire of the Senator—

Mr. SHIELDS. Do I understand the Senator to mean that if a natural person obtains a permit to engage in the right he is not under the control of the public-service commission of the State?

Mr. WALSH. No; I have not said so, I will say to the Senator from Tennessee. What I say is—

Mr. SHIELDS. I wish to say, in furtherance of what I have said on this subject, that if natural persons obtain a permit and make the development in the rates and charges they are to make, they are as much subject to the control of the public-service corporations or the laws of the State where the improvement is located as a corporation. There can be no difference to the consumer in any respect as to who makes the development, whether it is a subdivision of the State or a public-utility corporation or a natural person in that respect. It is only to provide so that there can be a development in every case.

In all cases under the express provision of the act where there is a subdivision of the State or a municipality, which is the same thing, or a public-utility corporation, they have the preference; and it is only in the event that such public-utility companies or subdivisions of the State are not authorized that a person can make the improvement. There is no possibility of

any public harm being done them by this provision, and it does provide for cases which may occur.

Mr. WALSH. I am afraid I have not made myself clear to the Senator from Tennessee, because he has not responded at all to any argument I have been making. I directed attention to the fact that in a State which by its laws alike permits a private person to engage in this business and also permits political subdivisions and public-utility corporations, you deny to the private person the opportunity to get a permit under this act, but you permit the private person to get a permit under this act in a State that does not extend that privilege to public-utility corporations and political subdivisions.

Mr. SMOOT. Will the Senator yield?

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

Mr. WALSH. I do.

Mr. SMOOT. I wish the Senator would point out the language in section 1 of the bill which can be construed in the light he has just stated.

Mr. WALSH. I have pointed it out. It commences at line 24 of page 2 and continues to the semicolon in line 4 of page 3.

Mr. SMOOT. I can not see that if that provision remains in the bill it has the effect the Senator says it will have. I understood the Senator to say if that provision is allowed to remain in the bill there would be cases in which an individual could not make a location and develop water power upon the navigable streams of the country.

Mr. WALSH. No; the Senator misunderstood me.

Mr. SMOOT. That is as I understood the Senator.

Mr. WALSH. I said that in States which authorize political subdivisions and public-utility corporations to engage in that business a private person could not secure a permit under this proposed law.

Mr. SMOOT. I can not see that that is the case, Mr. President. This simply states that in a case where the State has not made provision, where there are no municipal corporations, political subdivisions, or public-utility corporations, or other agencies of the State to engage in said business the qualification of the grantee prescribed in this proviso shall not apply; or, in other words—

Mr. WALSH. The Senator may have been misled by what I said. I referred to the language immediately preceding that commencing with the proviso.

Mr. SMOOT. In line 13 of page 2?

Mr. WALSH. Commencing in line 13, down to the place at which the proposed amendment commences, which forbids the granting of a permit to a private person in a State whose laws authorize these corporations and political subdivisions. It denies to a private person in those States the opportunity to get a permit. In other words, in my State, for instance, no private individual could come to the Government here and get a permit to build a dam if he wished to develop power and light.

Mr. SHIELDS. For a public-utility purpose, you mean?

Mr. WALSH. Exactly; but in the State of Utah a private person could come here and get this permit, assuming, for instance, that the State of Utah has not authorized public corporations or a political subdivision to engage in that business. It does, as a matter of fact. I simply use that for the purpose of illustration.

Mr. SMOOT. Of course, what the Senator says I believe is true, but it applies only to public utilities. It does not apply to the business of generating electricity for general use.

Mr. WALSH. The language of the bill, I will say to the Senator, is for public or private use.

Mr. SHIELDS. If the Senator will read a little further down, beginning with line 13, he will find the following:

Provided, That when the power to be developed by the project and improvement of the stream for navigation is used or to be used for a public utility purpose or purposes the grantee must be a municipal corporation or a political subdivision or other agencies of a State, or a public-service agent of a State, or a public-utility corporation created and organized under the laws of a State or the United States.

It only gives the preference to those companies where they are authorized to do business, which, I think, is certainly a very wise and wholesome provision.

Mr. WALSH. If it gave only a preference I should not object to it, but I can not conceive that it does. Those are the only persons who can get a permit which will authorize them to go into that business under this act. You deny to the private person in that State the right to get a permit.

Mr. SHIELDS. Mr. President, it is the object of the bill to deny to an individual the right to develop a water power for a public utility purpose so long as there is a subdivision of the State or a public-utility company that will enter into the busi-

ness. I understand it is generally conceded that it is best to put such public-utility work, especially for public-utility purposes, under the control of governmental agencies. That was the object and intention, and I think it is a very sound provision.

Mr. SMOOT. I think without that provision I would be more opposed to the bill than I am. I do believe that that provision ought to be in the bill. I do not believe that private corporations ought to develop a power for public-utility purposes. That is all that this provision prevents. If it were otherwise, a person in a State which has a public-utility organization for the purpose of furnishing power for public-utility purposes could go to work and get a permit under the bill. I do not think that he ought to be allowed to do it as long as there is a public-utility corporation or organization that will do it for the people.

Mr. WALSH. Mr. President, that is not the question. I fully agree that States ought to pass such laws as that, but that is not the point at all. The point I am making is that you give to a private individual in a certain State the right to go and get a permit and you deny to private persons the right in other States.

Mr. SMOOT. That only applies, does it not, to a State that has not created a public-utilities commission?

Mr. WALSH. No; but I am very sure that that was the idea intended to be expressed here. I dare say that the idea which was in the mind of the man who drafted that portion of the bill was that the provision on page 2 should apply, and that the exception should be the case of a State that did not have a public-utility commission; that in a State that did not have a public-utility commission the grant might be made to one whose acts were not subject to regulation and control by a public-utility commission, as provided at the bottom of page 2. I have no doubt at all that was the idea to be expressed, but I invite your attention to the fact that the language does not express any such idea, because it does not say "Provided, That in the case of any State which does not authorize the regulation and control of rates by a public-service board or a public-utility board this restriction shall not apply"; but it says "Provided, That the restriction shall not apply in the case of a State that does not authorize these political subdivisions or public utilities to engage in the business at all."

So the point raised by the Senator from Utah is not sustained by the language of the bill. The plain meaning of the bill is that in certain States a private individual may come here to the General Government and get a permit which will permit him to engage in the public-utility business in distributing this power for the purpose for hire, and in certain other States a private person can not come here and get the permit, but the permit must be granted to a public-service corporation or a political subdivision.

Mr. SMOOT. It can, however, only apply in a State that has not made provision for authorizing the municipal corporations or political subdivisions, as the case may be, to develop power. The proviso on page 2, beginning in line 13, states:

That when the power to be developed by the project and improvement of the stream for navigation is used or to be used—

What for?—

for a public-utility purpose or purposes, the grantee must be a municipal corporation, or a political subdivision, or other agencies of a State, or a public-service agent of a State.

I think the Senator from Montana will agree that that is a wise provision in the bill.

Mr. WALSH. Mr. President, my State authorizes political subdivisions and also corporations to engage in this business. It also authorizes private persons to engage in it. Now, there is another State that does not authorize anyone but private persons to engage in that business. A private person from my State can not come down here and get a permit although the laws of my State authorize him to engage in that business, but in States that do not authorize political subdivisions, that do not authorize corporations to engage in the business, the private person may come here and get a permit. I want to know whether that is a fair provision in any bill?

Mr. NELSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Minnesota?

Mr. WALSH. I do.

Mr. NELSON. May I ask the Senator are not municipal corporations, public-utility corporations, or other agencies of the State authorized to engage in such business?

Mr. WALSH. They are in my State, I will say to the Senator from Minnesota.

Mr. NELSON. Then, this would not affect the Senator's State. His State would be included in the words that precede these. The words stricken out would not affect the Senator's State at all.

Mr. WALSH. No; the words which have been stricken out would not affect my State.

Mr. NELSON. They would not affect the Senator's State. In his State private persons could not get the power, and, therefore, the other requirements in the bill could not possibly affect his State.

Mr. WALSH. Yes; but I do not want to have this act deny to a private person in my State the right that it gives to a private person in another State.

Mr. NELSON. Mr. President, if the Senator will allow me further, I will say that I can hardly conceive of a State where neither a municipal corporation, a political subdivision, a public-utility corporation, nor other agencies of the States would not have such authority. I do not know of a single such State in the Union. There are States which do not have utility commissions; but that does not figure in this case. It is not a question of having a utility commission; it is a question whether these quasi-political bodies exist in any State. I think almost every incorporated city and town has the power to provide light and heat for the municipality. I can scarcely conceive of a single State or Territory in the country where such corporate bodies have not that power.

Mr. WALSH. I will say to the Senator from Minnesota that I entertain exactly the same idea, and, therefore, I insisted that this clause had no particular application at all; but I am assured by the Senator from Tennessee that the Senator from Minnesota and I are in error about that, and that there are some States, or there may be some States—

Mr. NELSON. I hardly think there are any such States.

Mr. WALSH. Or there may be some States in which such corporations are not thus authorized.

Mr. SHIELDS. Mr. President, the Senator from Tennessee has not said that there was a State where the subdivisions of it were not authorized to engage in this business; but it is a fact that there are a large number of municipal corporations in States that are not authorized by their charters to establish a water plant or to construct a water plant or a gas plant, where even a special act of the general assembly of the State is required to authorize them to do so.

The construction of a power plant is not an ordinary municipal purpose. We may find, on investigation, that there are States that have never authorized their municipalities to develop water power for municipal purposes, even though they have the power to construct a gas plant or an electric-light plant, because this goes further than the mere question of a plant for lighting purposes. I know of no such particular State. I have no such corporation in mind; but I do know that there is a great want of uniformity in the charters of municipalities throughout all the States of the Union. I do know that this provides for special State agencies that do not now exist for the development of water power—agencies which the general assemblies of the States could hereafter create.

The first statement of the Senator from Montana was that he knew of no State where the subdivisions or municipalities or public utilities were not authorized to engage in this business. If that be so, this provision is utterly harmless, and will affect no one and no State; but if, on the contrary, it should develop that there are such States, then it provides for a development where otherwise it could not be had.

Mr. BRANDEGEE. Mr. President—

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

Mr. SHIELDS. I will do so in a moment. The intention and object of this bill is to provide for the development of water power under any and all possible circumstances and to remove the great obstacles that now exist to such development. I now yield to the Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, I think I agree with what the Senator from Tennessee has just stated; but if the effect of this proviso is that if there is any State which has not made provision for public-utility functions to be exercised by its corporations especially authorized for that purpose, then, under this bill, the Secretary of War may issue a permit to a private person to maintain a dam across a navigable river. That is the trouble, as I view it. If the Senator from Tennessee is certain that every State has made provision for these corporations and municipalities or the other instrumentalities enumerated in this proviso to exercise those functions, then no damage will be done; but if there is any State having a navigable river which has not made such provision—and that is a question of fact—then, under this bill, the Secretary of War may issue a permit to a private person to dam a navigable river.

Mr. SMOOT. That is all there is to it.

Mr. SHIELDS. Mr. President, here is an illustration of what may happen—

Mr. SMITH of Arizona. Mr. President, may I take a moment just for my own satisfaction and for information?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Arizona?

Mr. SHIELDS. I do.

Mr. SMITH of Arizona. Does this bill apply only to navigable waters?

Mr. SHIELDS. It does.

Mr. SMITH of Arizona. Then, I would suggest to the Senator from Montana, if I am not mistaken, that where there are no navigable streams we have a difficulty fully as hard to reach in the matter of water power of nonnavigable streams when we come to consider the bill. If, however, the language applies simply to navigable streams, it would not affect my State, and I do not think it would affect Montana, unless I am mistaken about it.

Mr. SHIELDS. Mr. President, I will give an illustration where this provision would be necessary. There may be a municipality that desires to develop water power for various public-utility purposes. It may not be authorized by its charter to do so. There are such cases at that. No one will dispute that many municipalities are of limited powers and the powers are always in the discretion of the general assembly creating them, either by general laws or special acts. There being such municipalities desiring to develop the power, or rather the inhabitants of the city desiring to develop a water power for public-utility purposes, and the charter not authorizing it, they would be cut off and deprived of the advantages of such development for the commonest utility purposes. The corporation or municipality not desiring to do so, there may be public-spirited citizens or there may be citizens who desire to do it for a profit. It can be done in that way, when otherwise it would go undeveloped, and the corporation or municipality would go without light or power for other public-utility purposes.

Mr. SUTHERLAND. Mr. President—

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

Mr. SHIELDS. I yield to the Senator from Utah.

Mr. SUTHERLAND. Mr. President, I should like to ask the Senator from Tennessee a question. The proviso which is under consideration is to this effect:

Provided, That when the power to be developed by the project and improvement of the stream for navigation is used or to be used for a public-utility purpose or purposes the grantee must be a municipal corporation, or a political subdivision, or other agencies—

I suppose it means "agency"—

of a State, or a public-service agent of a State, or a public-utility corporation created and organized under the laws of a State or the United States, authorized to engage in the business of furnishing water, heat, or electric energy for public or private use, and whose rates and charges and service shall be subject to regulation by the laws of the State or a duly constituted commission or other agency of said State.

I presume that the limitation which is made by that proviso was inserted because the committee deemed it important that the right to develop a water power under such circumstances should be limited to a municipal corporation or other agency such as is described in the proviso. I presume there must have been some very strong and controlling reason which induced the committee to put in that limitation. Am I correct about that?

Mr. SHIELDS. Certainly. It was intended to give municipalities the preference in developing water power for municipal purposes.

Mr. SUTHERLAND. Now, I submit to the Senator from Tennessee that, having inserted that proviso upon the theory that it would be unwise to allow others than those named in the proviso to acquire these rights, it is inconsistent thereafter to provide, upon the mere contingency that there does not happen to be such a law in the State, that other persons should be permitted to acquire such rights; in other words, if it is unwise in one State, or if it is unwise in the great majority of States, to extend this right to persons other than those named, then certainly it must be unwise to grant the right in any State, irrespective of its laws. Therefore upon the mere existence of this contingency we are doing what is concededly an unwise thing.

Why would it not be better to eliminate this provision, in accordance with the suggestion of the Senator from Montana, as I understand, and compel the particular State, if there be any such, that has not made provision in its laws which will enable it to come under the proviso to do so? Is it not better to do that than to write into the law what everybody and what the bill itself concedes is an unwise provision?

Mr. SMITH of Arizona. Mr. President, I would suggest, if the Senator from Tennessee will permit me, that the bill does not seem to confine the benefits of its operation simply to

municipalities, but it gives preference to the subdivisions of powers of a State where the aggregated people want it. I can, however, easily conceive of conditions where in a thickly settled farming community, for instance, it might be very well for them or for one individual to create this power so as to supply their homes very far removed from a city. In that event I should think the bill would be wise to leave the matter open. I merely offer that suggestion in answer to the suggestion of the Senator from Utah [Mr. SUTHERLAND].

Mr. SUTHERLAND. My complaint is that the proviso first proceeds on the theory that it is important to limit the classes of persons who may take advantage of that provision of the bill to those that are named, and then permits that important principle to be violated because of the mere accident that some State has failed to provide that any of those classes may be called into existence, or, rather, that any of those classes may operate in the way the proviso points out. My point is that if it is unwise in any case it is unwise in all cases. We ought to have a uniform rule.

Mr. SHIELDS. Mr. President, the committee in inserting this clause did not proceed upon the theory that it was unwise to allow individuals to develop water power for public-utility purposes, but upon the theory that it was best to give the municipality or other subdivision of the State the preference in all cases. It was to some extent favoring the policy of governmental ownership of public utilities. The intention was to provide that where the inhabitants of a municipality desire to own their own public utility they may do so and have the preference over individuals. While the committee did not deem it unwise that an individual should develop such water power as the bill contemplates they deemed it best that for public-utility purposes the municipality should do so, and they deemed it wise to provide that in case the municipality was not authorized to make the development, then that an individual might make it, so that the public might have the benefit of the natural resource adjacent to the city or town wherever it might be. There was no question of wisdom or unwisdom involved; it was merely a question of giving the public the preference in such matters and of placing in the bill a provision under which in any event the development might be made.

Mr. SUTHERLAND. Mr. President—

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

Mr. SHIELDS. I do.

Mr. SUTHERLAND. But, Mr. President, the proviso does not give these particular classes the preference. The proviso is exclusive. It says that no others shall enjoy the right except the classes named.

Mr. SHIELDS. It is preferential in effect.

Mr. SUTHERLAND. Oh, no, Mr. President; it says—

Mr. SHIELDS. It provides in brief that wherever there is a municipality authorized to make the development, it shall be made by such municipality, and only in case the municipality is not authorized to enter upon the work can an individual do it in any State.

Again, Mr. President, whether or not the States authorize their municipalities or subdivisions to make such improvements or developments is a matter of local and internal policy. They can always cure any deficiency in this respect by proper legislation in each individual State. It is not a matter for Congress to legislate upon. The committee thought that this matter ought to be left open, for each State to settle such questions for its own inhabitants. If any State wishes to extend this power to any municipality that now does not possess it, or if it wishes to create a State agency or to authorize any subdivision by incorporating it to engage in this business it can do so. It is a matter largely of local application.

Mr. SUTHERLAND. Mr. President, the language is clearly exclusive. The Senator from Tennessee, I think, will concede that wherever these organizations exist a private citizen will not be permitted to enjoy the rights granted by this bill.

Mr. SHIELDS. It was the intention of the committee to give municipalities a preference in such matters, where the power was to be devoted to public-utility purposes. The committee deemed that wise and best.

Mr. SUTHERLAND. And absolutely to exclude private citizens in those cases?

Mr. SHIELDS. Where the municipality is authorized to engage in the business, to exclude private individuals; but if the municipality is unauthorized to engage in it, then the bill proposes to give the privilege to the private citizen, so that the community may not by law be deprived of the benefits of an investment or development of this character.

Mr. SUTHERLAND. The Senator seems to me to concede what I say; yet I am not absolutely certain that he does.

Mr. SHIELDS. If the Senator will restate his proposition, I will endeavor to understand him.

Mr. SUTHERLAND. The provision in the bill, as it now reads, does absolutely exclude the private citizen from any right under it, does it not?

Mr. SHIELDS. Wherever the municipality has power to make the investment or undertake the development, the citizen is excluded.

Mr. SUTHERLAND. Then it excludes him absolutely. Now, let me ask the Senator from Tennessee why that provision was inserted; why does the bill exclude a private citizen under such circumstances?

Mr. SHIELDS. Because the committee thought the municipality should have the preference. I am not altogether committed to governmental ownership of public utilities, but in many cases I deem such ownership wise and advisable; and I favor this clause upon the ground that it gives municipalities the preference in such matters. There are many cases in which public ownership of utilities has been of very great benefit to municipalities. This is a natural resource in its infancy, and the object of this bill is to develop it in the interest of the people, in the interest of the consumers; and we did not think there would be any provision more wholesome or more for the benefit of the people than to give them the preferential right to make these developments over individual capital and individual control.

Mr. SUTHERLAND. Why would it not be better, Mr. President, for the particular State whose laws may now not come within the provisions of this proviso to adjust its laws rather than to have Congress adjust its laws to meet these different conditions?

Mr. NELSON. Mr. President—

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. NELSON. Mr. President, it seems to me that Senators overlook a principle that lies at the root of this matter. While I concede that this question is in a sense largely academic, for I hardly know of a State which has not such municipal or public-utility corporations as are described in this proviso, nevertheless, suppose there were a State in this Union that preferred that the development and utilization of a water power for heat or light should be in the hands of private individuals or private corporations instead of in the hands of such agencies as are described in the proviso, ought we to dictate to that State, and say to it, "Unless you have such agencies as are provided in this bill, unless you believe in public ownership, you can not enjoy this privilege"? It goes right to the root of the power of the States.

The question of what is for the best welfare of the public the Federal Government may look at from one standpoint, the standpoint covered by the first part of this proviso, namely, that the power proposed to be conferred by the bill should only be exercised by a certain class of municipal or public-utility corporations, but the State may look upon that question in a different light. A State may say, "We prefer that public-utility services, such as furnishing heat, water, and light, shall not be owned and run by municipalities; we do not believe in that policy; we prefer that they should be run by private corporations or private individuals." In that case, if a State does prefer that order of things, why should we dictate to it a different policy? If there are any States that hold that view—and I doubt whether there are any such States in the Union—but if there are any that prefer that policy, why should we dictate by this bill a different policy?

It is a question of utilizing water power. The justification for this bill is that the water powers proposed to be developed shall be developed for the purpose of improving navigation, and that the furnishing of heat and light is merely an incident to such an improvement. If in a given State they prefer that those incidents shall be utilized for the public benefit through a private corporation and they are opposed to what is called public ownership, why should we dictate to them?

Mr. CUMMINS. Mr. President, it seems to me that there is some confusion of thought with respect to the latter part of section 1. I may not be able to clear it up, for I confess that there are certain phrases in it that I can not understand; but, referring, in the first place, to the proviso, the Senator from Tennessee [Mr. SHIELDS] says that it is intended to give the municipal corporation a preference. I can not think that he is accurate in that statement. It does not give the municipal corporation any preference. The public-utility corporation stands upon exactly the same footing as the municipal corporation. A public-utility corporation, as I understand, is a mere private corporation engaged in such a business that it is affected with a public interest.

Mr. SHIELDS. I have not said a public-utility company could not enjoy the privilege conferred. It is expressly written in the bill that a public-utility company may have the same preference as the municipal corporation.

Mr. CUMMINS. Precisely.

Mr. SHIELDS. It is classed along with municipalities.

Mr. CUMMINS. In answering the Senator from Utah [Mr. SUTHERLAND], I understood the Senator from Tennessee to say that the municipal corporation or a political corporation of some sort had a preference. It has not.

Mr. SHIELDS. I certainly did not intend to change the language of the bill. Perhaps I used an inaccurate expression, due to the fact that I did not desire to repeat all the language of the bill.

Mr. CUMMINS. I simply wanted to get my own bearings to find out what is really proposed in the section. The political corporation and the private corporation—I mean the private corporation engaged in a public business—stand upon exactly the same footing, so far as opportunity to secure a permit is concerned; but it will be observed that the individual is entirely eliminated in the proviso of the first section. I am not now considering those States which are excepted in the further provision, but the intention of the proviso is to entirely eliminate the private citizen.

It seems to be conceded that that is wise. I do not concede it; I think it is very unwise. The private citizen engaged in a public business is just as much affected with the public interest as a private corporation engaged in such a business. The municipality and the State can regulate him and regulate his business just as completely as they can regulate the corporation engaged in the same business.

In the State in which I live the municipality may grant a franchise, with the assent or approval of the people, to an individual to own and operate a gas plant, or a water-works plant, or an electric light and power plant; but the individual, once having received the franchise, is just as amenable to the laws as is the private corporation. Does the Senator from Tennessee intend to say to all the municipalities of Iowa that they can not grant a franchise in connection with a water power for the conduct of business of this sort? If he intends to deny the individual who under our law has the right to receive a franchise, what public purpose is conserved or maintained? The private corporation is simply an association of persons, with oftentimes a less liability than the individual himself; and I should be very sorry to see a provision enacted here that would prevent either my State or any other State from carrying forward the public utilities through any agency that it may see fit to select.

That is my objection to the proviso as I find it. I think there is a good deal of obscurity—and I suggest this now to the Senator from Tennessee—about the exception from the proviso. It reads:

But in any case where the State has not made provision for authorizing municipal corporations, political subdivisions, or other agencies of the State or public utility corporations or agencies to engage in said business—

I have doubt about two things there. First, what does the word "agencies" mean? It can not mean agencies of the State, because that is prescribed in the previous line. It must mean a private or quasi-private agency which the laws of the State authorize to carry out some design of the State or need of the people. What do the words "said business" mean? Do they mean the general public utility business or do they mean that the corporation, whether political or private, is engaged in this particular venture?

I do not know, from either the language itself or its context, to what reference is made there—

authorizing municipal corporations, political subdivisions, or other agencies of the State or public utility corporations or agencies to engage in said business.

I ask whether that is meant to apply to a case like this, namely, where it is sought to engage in the business at a particular place at which the permit is asked, or whether it means an agency engaged generally in the public utility business? Those words are rather important, because there are some corporations that have rather a wide interest in this matter and that are engaged in the public utility business in a great many localities and in a great many States as well.

I have not been able to reach a satisfactory conclusion with regard to the meaning of those words. I agree with the Senator from Utah with regard to the exception from the proviso; but I shall insist at the proper time that the proviso itself shall not exclude a private individual who is authorized by his State, either directly or through a municipality of the State, to furnish the people of the locality with heat, power, or light.

Mr. WALSH. Mr. President, the same idea was expressed by the Senator from Minnesota [Mr. NELSON], and I think he has

very clearly stated the principle that ought to govern us here. I think we may with perfect propriety leave it to each State to say who shall and who shall not engage in business of this character; that is to say, the business of providing heat, light, and power for private or public use. That will be accomplished by striking out everything including and after the word "Provided" on page 2, so that the bill will read:

That the United States hereby authorizes any of the persons as hereinafter defined, after obtaining the permit of the Secretary of War as hereinafter provided, to construct, maintain, and operate a dam or dams or diversion structures and accessory works for the development and improvement of navigation and for water power or other purposes across, in, or along any of the navigable waters of the United States; and such grantee and such permit shall at all times be subject to the provisions of this act and also subject to such conditions as the Secretary of War shall, in accordance with the provisions of this act, make a part of such permit; that the word "persons," as used in this act, shall be construed to mean both the singular and plural as the case demands, and shall be construed to mean political subdivisions of States, municipal corporations, corporations, companies, and associations; and the term "grantee" herein shall mean any such persons to whom shall be granted a permit as herein provided.

That would give everybody a right to come here to the General Government and get a permit to erect a dam. It would give a municipal subdivision, it would give a public-service corporation, it would give any kind of a corporation the power to come here and get a permit. Then, whether that company or the individual, as the case might be, could engage in that particular business, would be determined by the law of the State.

I see no reason why we should undertake to regulate that matter at all, and I think the real change which should be made in the bill is to strike out the entire proviso; but I presented this matter in such a way as to enforce as emphatically as I could the idea that you were giving to individuals in one State privileges which you denied to individuals in another State.

Mr. SHIELDS. Mr. President, the proposition of the Senator is to deprive municipalities of a preference to construct, develop, and operate their own public-utility companies. That is the substance of it. Beginning where he left off, I proceed to read:

Provided, That when the power to be developed by the project and improvement of the stream for navigation is used or to be used for a public utility purpose or purposes the grantee must be a municipal corporation, or a political subdivision, or other agencies of a State, or a public-service agent of a State, or a public-utility corporation created and organized under the laws of a State or the United States, authorized to engage in the business of furnishing water, heat, or electric energy for public or private use, and whose rates and charges and service shall be subject to regulation by the laws of the State or a duly constituted commission or other agency of said State.

It is difficult for me to see why that is not a very wholesome provision in this bill. The Senator says he wants it so that anyone can come here and get a permit in any stream on an equality with the municipalities—with the people, I will say—of the particular community or vicinity where this great natural resource may exist. The very object of this provision is to prevent such a thing as that. It is to give a preference to communities, to the people, in the development, and in the use of the natural resources of the country adjacent to the city or municipality. Why, sir, it is in effect a provision to prevent the water powers of this country from being monopolized by individuals and the people being deprived of their benefits. I am astonished with the view the Senator entertains, that we ought to strike out a provision for such a beneficent purpose as that.

I think the wisdom of this provision must appear from a mere reading of it. As the President says that he can not think there is a State in the Union that does not authorize its municipalities to engage in this business, it certainly can do no harm. I think cases do exist where the municipalities have not the power, and so thought the committee; and therefore we put in this provision, so as not to exclude the development of water power in any case.

Mr. SUTHERLAND. Then, Mr. President, instead of giving these organizations an exclusive right and absolutely excluding the citizen, why does not the Senator from Tennessee provide that the Secretary of War shall prefer the municipal corporation or the State agency over the private corporation or the citizen in granting these privileges or rights?

The difficulty is that the Senator's proviso does a good deal more than give these agencies a preferential right. It absolutely excludes the individual whenever these agencies exist.

Mr. BANKHEAD. Mr. President, this bill has been in the hands of a committee of the Senate for practically four years. This bill, practically without change, was reported upon unanimously by the Committee on Commerce, and was on the calendar of the Senate during the last Congress. The committee, if the Senate will allow me so to express it, has built up and torn down and built up again and torn down this proposition, with the purpose and thought that it might perfect, as nearly as

a bill of this character can be perfected, a measure that would meet the expectations of the country.

When the committee in charge of this bill commenced its consideration, it had in view three purposes. The first was properly to protect and promote the interests of the people of this country and the users of hydroelectric power. Second, it endeavored to protect as far as possible the interests and rights of the States. Third, it endeavored to take care of the interests of the General Government, and to provide as far as possible for the improvement of its navigable rivers.

As I said in the beginning, in so far as the committee was able to do so, this bill has been carefully prepared. I might say that the principle of the section now under discussion runs through the whole measure. While, of course, I do not object to amending the bill—if an amendment is proposed that improves its provisions and its operation, that is proper and necessary—yet if we are to amend the bill in important particulars without knowing what the effect of the amendment is to be upon other important sections of the bill, we will practically destroy it in the end.

If we can not frame here a bill that will do the things I have suggested—protect the interests of the people of the States and of the Government, provide for navigation, and at the same time put into the bill provisions that will be inviting to capital, that will induce capital to invest its money in the development of these power sites on navigable rivers—we had just as well stop now. We have had that character of legislation on the books for 10 years, and what has been accomplished under it? Not a single, solitary development that I am aware of has been commenced and completed, under what is known as the general dam law now on the statute books, and it is my deliberate judgment that none ever will be. So that if Congress is willing, if Congress has reached the conclusion that these great natural resources should be utilized, and in their utilization that the navigation of our rivers should be improved, we have an opportunity to do it here in this bill and at the same time protect the interests of the people and the States and the National Government.

My belief is that the amendment suggested by the Senator from Montana is a dangerous one. My belief is that it will practically destroy the purpose of the bill. I can not understand how the Senator from Montana would prefer that a private interest or private corporation should be permitted to go and improve these rivers and create power in preference to a municipality that desired to do it.

Mr. WALSH. Mr. President—

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

Mr. BANKHEAD. I do.

Mr. WALSH. The Senator from Montana has no such purpose.

Mr. BANKHEAD. Then I must confess that I have failed to understand the suggestion of the Senator from Montana. Why should not cities, corporations of that character, municipalities, be given the preference when they come to develop these powers for their own particular use? Why should an individual be permitted to go to my town, for instance, and say, "I am going to get a permit, and I am going to build here a power plant and develop hydroelectric power, and I am going to furnish this town with light and heat by electricity," as against the desires of that municipality to do it itself? Why should that be done? Why should not the municipality have the preference?

There is nothing in this bill that prevents an individual or corporation from doing these things where the municipalities themselves do not do them, or do not care to do them, or do not want to do them, or do not expect to do them. That is the view I have of the matter.

Mr. CUMMINS. Mr. President, could an individual put a dam in a stream and furnish a city or its citizens with light and heat without the consent of the city?

Mr. BANKHEAD. The city would not be compelled to buy it; that is true.

Mr. CUMMINS. Could the individual do it without the consent of the city in some form or other, through its council or its people?

Mr. BANKHEAD. He might go there, under the contention of the Senator from Montana, and build a dam, if he could get permission from Congress to do it, and prohibit anybody else from doing it.

Mr. CUMMINS. But he could not furnish the people there with heat and light and power without their consent.

Mr. BANKHEAD. Oh, no; not without their consent. Of course, he could not.

Mr. CUMMINS. Just one more question: Does the Senator know of any State in the Union that does not authorize some agency, either individual or corporation, to engage in the business of furnishing heat, light, and power?

Mr. BANKHEAD. No; I do not think I do.

Mr. CUMMINS. Then you absolutely destroy the first provision by the insertion of the last.

Mr. BANKHEAD. Oh, I do not think so at all, Mr. President.

Mr. CUMMINS. Why, it says that the first provision shall not apply if the State has not so authorized such an agency. That is to say, if any State has not authorized any agency—individual, corporate, or in any other form—to supply its people with heat, light, and power, then the first provision disappears entirely.

Mr. BANKHEAD. The bill simply provides that they shall have the preference; they shall have the choice.

Mr. SUTHERLAND. May I ask the Senator, before he takes his seat, whether I understood him correctly? Did I understand the Senator to say that there was nothing in the bill which would prevent an individual from acquiring these rights if the municipal corporation and other agencies named did not exercise them?

Mr. BANKHEAD. No; I do not think I said that, exactly.

Mr. SUTHERLAND. Perhaps I misunderstood the Senator.

Mr. BANKHEAD. It may be a corporation or an individual. It does not have to be an individual necessarily. It might be a corporation, an incorporated company.

Mr. SUTHERLAND. My understanding of this proviso is that if the municipal corporation or other agency named here exists in the State and is given power under the State law to do the things mentioned, then the individual is absolutely excluded. In other words, a condition might arise where no municipal corporation and no other agency would care to take hold of a particular enterprise, and yet the individual would be excluded from taking hold of the matter because of the very existence of these agencies.

Mr. BANKHEAD. I do not think that is probable.

Mr. SUTHERLAND. That is the plain language of it. It says that when the power to be developed by the project, the improvement of the stream for navigation, is used or to be used for a public-utility purpose or purposes, the grantee must be a municipal corporation, and so on. The grantee can not be, under those terms, anything else but one of these agencies that is named. You have absolutely excluded the individual from taking advantage of this law, if I understand it, if these agencies have an existence and have conferred upon them by law the powers which are mentioned.

Mr. WALSH. Mr. President, I do not desire to say anything further in relation to this amendment. I have said all that in my judgment need be said, and my views with respect to it can not possibly be misunderstood. I arise, however, to say a word now by reason of some of the remarks of the distinguished Senator from the State of Alabama, which might lead an uninformed reader of the RECORD to put me in the attitude of an opponent of this measure.

The Senator from Alabama, I know, does not entertain that idea, because he has abundant reason for knowing that there is no Senator who is more sincerely desirous than myself of seeing this bill passed in perfected form. The Senator from Tennessee [Mr. SHELDS] discharged a very high duty and performed a very distinguished service to the country, in my estimation, in his impressive speech the other day concerning the overwhelming importance of this measure. It is my own conviction that this bill and the accompanying bill, which I trust will be considered as soon as this is disposed of, concerning the disposition of power sites upon the public domain, are fraught with more significance, so far as the future development and prosperity of this country are concerned, than any other measure that can possibly engage the attention of this body during the present session. I do not even except the so-called preparedness measures. And, Mr. President, I might add to what was said in that behalf by the Senator from Tennessee the other day that it has been estimated, and I think with accuracy, that we are consuming in this country coal to the amount of \$1,000,000 per day for the generation of power that might just as well and better be developed by the falling waters of our streams. That signifies an annual loss of \$300,000,000 to this country by reason of the fact that its water-power resources are not developed. If you capitalize that at 5 or 6 per cent interest, the figures grow so vast that the human mind, with all its capacity, is incapable of comprehending their full significance.

Mr. President, my own State leads the Union in its development of water power per capita. There is more developed water power per capita in the State of Montana than in any other

State in the Union. It is one of the first in its total capacity, aggregating, according to careful estimates, about 5,000,000 horsepower. The development to date is in the neighborhood of 250,000 horsepower, and development is going on to-day in my State more largely than in any other State in the Union.

Some of the remarks of the esteemed Senator from the State of Arizona [Mr. SMITH] might be interpreted to mean that my interest in the bill was quite unnecessary, because it in no wise affected my State. The esteemed Senator is quite in error about that. The Missouri River in the State of Montana is navigable for upward of 300 miles. The Yellowstone River in the State of Montana is navigable for upward of 200 miles. The Kootenay River in the State of Montana is navigated for a distance of nearly 100 miles, and into the British possessions traffic is actually carried on for nearly as much more. So while we are deeply interested in the other bill—the power-site bill—the one that is before us now is not without vast significance and importance to the development of industry in the State which I have the honor in part to represent.

Now, the Senator from Alabama does understand, and everyone else ought to understand, that I am here to assist in the passage of this bill, but anyone will make a mistake if he assumes that because of my intense interest in the enactment of legislation upon this subject I shall not feel at liberty at any time to call attention to those features of the bill which seem to me to require change. And indeed, Mr. President, I do so because of my firm conviction that this bill, unless it is radically amended, will never receive the President's approval. So I am exceedingly desirous to put it in the most unexceptionable shape.

Mr. President, while I am talking about that I might as well say what I intended to say a little later in connection with some other amendment that I desire to present. The subject will be reached after another amendment is offered. We ought to recognize in the consideration of this measure that we have been at a deadlock upon this proposition for a period of upward of eight years. During that time, as has been told you by the Senator from Alabama, development has practically been arrested because the existing laws are impossible. They do not offer the inducements and the encouragements to capital that are absolutely essential in order that it should engage in this particular line of enterprise.

The situation became acute when the so-called Rainy River dam bill was vetoed by President Roosevelt in the year 1908. I have here a copy of that veto message, and I am going to send it to the desk to be read by the Secretary in order that we may have clearly before us the nature of the opposition which was made at that time to the bill then under consideration and the features which the then President of the United States deemed ought to be incorporated in a bill of this character.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

VETO MESSAGE OF THE PRESIDENT.

The Speaker laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return herewith, without my approval, House bill 15444, to extend the time for the construction of a dam across Rainy River.

This bill is returned for several reasons, some of which are general, others special. In this particular case permission to construct this dam was originally given, as being in Rainy Lake River, by the act of May 4, 1898 (30 Stat., 398), which limited the time for commencing the work to one year and for completing it to three years from that date. Further extensions of time were granted as follows: For commencement, three years, and for completion, five years from May 4, 1900, by the act of that date (31 Stat., 167); for construction until May 4, 1907, by the act of June 28, 1902 (32 Stat., 485); for completion until July 1, 1908, by the act of February 25, 1905 (33 Stat., 814). The act of 1905 substituted the Rainy River Improvement Co. for the original permittee. All rights given by these acts will expire July 1, 1908, unless the dam is completed on or before that date. In other words, the permittees will then have enjoyed for more than 10 years the exclusive privilege of constructing this work, and have apparently failed to take advantage of it, for this bill would extend the time for three years longer to some unnamed day in July, 1911.

I do not believe that natural resources should be granted and held in an undeveloped condition either for speculative or other reasons. So far as I am aware, there are no assurances that the grantees are in any better condition promptly and properly to utilize this opportunity than they were at the time of the original act, 10 years ago.

In all permits of this character the duty of declaring a forfeiture, after notice and hearing, for failure to begin or complete construction within the time limited by the permit, or for other breach of conditions, should be definitely imposed upon the proper administrative officer (in this case the Secretary of War). There have been many unfortunate experiences resulting from conditional grants, which, though on their face apparently terminable for breach of condition, proved practically indeterminate because no one official was specifically given power to discover and declare the breach. The general statute regulating dams in navigable waters (act June 21, 1906, 34 Stat., 386), though representing an advance, yet leaves uncertain much that should be definitely expressed in each act permitting the construction of dams under this statute.

A definite time limit is one of these important omissions. The public must retain the control of the great waterways. It is essential that

any permit to obstruct them for reasons and on conditions that seem good at the moment should be subject to revision when changed conditions demand. The right reserved by Congress to alter, amend, or repeal is based on this principle; but actual experience of what happens with indeterminate public-utility franchises proves that they are in the vast majority of cases practically perpetual. Each right should be issued to expire on a specified day without further legislative, administrative, or judicial action.

Every permit to construct a dam on a navigable stream should specifically recognize the right of the Government to fix a term for its duration and to impose such charge or charges as may be deemed necessary to protect the present and future interests of the United States in accordance with the act of June 21, 1906. There is sharp conflict of judgment as to whether this general act empowers the War Department to fix a charge and set a time limit. All grounds for such doubt should be removed henceforth by the insertion in every act granting such a permit of words adequate to show that a time limit and a charge to be paid to the Government are among the interests of the United States which should be protected through conditions and stipulations to be imposed either by the War Department or, as I think would be preferable, by the Interior Department.

The provision for a charge is of vital importance. The navigability of every inland waterway, and of all connected and connectible inland waterways as a whole, should be improved for the purposes of interstate and foreign commerce upon a consistent unified plan by which each part should be made to help every other part. One means available for the improvement of navigation at a particular point on any river may be a dam creating a slack-water pool of sufficient depth. Such a dam may, in many cases, develop power of sufficient value to pay in whole or in part for the improvement of navigation at that point, and if there is any surplus it can be spent upon improvements at other points in accordance with the general plan. Since the Government can do by any proper agency what it can do directly, it is in principle immaterial whether this income to construct needed improvements is derived from works constructed directly by the Government or by a corporation acting under Federal authority, since Federal authority is the one indispensable legal prerequisite for the work, though the charge to be paid to the Government for the power would, of course, differ in the two cases; indeed the charge would necessarily vary greatly, for where the improvement was both costly and of great benefit to the public, the charge would naturally be made low and the time limit long.

The income derivable from this source would materially aid in the complete improvement of our navigable waters, for which there is now such crying need. The Chief of Engineers of the Army reports that the bills pending at this session of Congress permit the construction of dams in navigable streams capable of developing over 1,300,000 horsepower. These rivers run every hour in the day and every day in the year. To develop this amount of power would, under average conditions, require about 25,000,000 tons of medium-quality coal every year. This natural wealth is the heritage of the people. I see no reason for giving it away, though there is every reason for not imposing conditions so burdensome as to prevent the utilization of the power. The authority to make, modify, or withhold grants manifestly implies both the power of inquiring into the grounds on which the grants are asked and the duty of administering the grants in the public interest.

We are now at the beginning of great development in water power. Its use through electrical transmission is entering more and more largely into every element of the daily life of the people. Already the evils of monopoly are becoming manifest; already the experience of the past shows the necessity of caution in making unrestricted grants of this great power.

The present policy pursued in making these grants is unwise in giving away the property of the people in the flowing waters to individuals or organizations practically unknown and granting in perpetuity these valuable privileges in advance of the formulation of definite plans as to their use. In some cases the grantees apparently have little or no financial or other ability to utilize the gift, and have sought it merely because it could be had for the asking.

In place of the present haphazard policy of permanently alienating valuable public property we should substitute a definite policy along the following lines:

First. There should be a limited or carefully guarded grant in the nature of an option or opportunity afforded within reasonable time for development of plans and for execution of the project.

Second. Such a grant of concession should be accompanied in the act making the grant by a provision expressly making it the duty of the designated official to annul the grant if the work is not begun or plans are not carried out in accordance with the authority granted.

Third. It should also be the duty of some designated official to see to it that in approving the plans the maximum development of the navigation and power is assured, or at least that in making the plans these may not be so developed as ultimately to interfere with the better utilization of the water or complete development of the power.

Fourth. There should be a license fee or charge which, though small or normal at the outset, can in the future be adjusted so as to secure a control in the interest of the public.

Fifth. Provision should be made for the termination of the grant or privilege at a definite time, leaving to future generations the power or authority to renew or extend the concession in accordance with the conditions which may prevail at that time.

THE WHITE HOUSE, April 13, 1908.

THEODORE ROOSEVELT.

Mr. NELSON. Will the Senator allow me to give the subsequent history of that matter?

Mr. WALSH. I should be very glad; but if the Senator will pardon me—

Mr. NELSON. I am familiar with it.

Mr. WALSH. The Senator will pardon me first, however. I wanted to put in the veto message of President Taft for the purpose of calling attention to the grounds of objection that had been made to these bills in the past that we may proceed to consider the present legislation in the light of it, and I will be glad then to yield to the Senator.

Mr. NELSON. Very well.

Mr. SHIELDS. The Senator should have stated that the Rainey River bill was passed over the veto of the President.

Mr. NELSON. I wanted to explain what became of the Rainey River bill, if the Senator will allow me.

Mr. WALSH. Very well; I am glad to yield to the Senator.

Mr. NELSON. The facts of the case were that the parties interested in that grant saw the President and the Secretary of War. The President insisted on certain conditions and changes and compelled them to agree in writing in some form, I do not recall exactly in what form, to accept certain modifications and changes in respect to the rights under the law. That was filed with the Secretary of War, and after that President Roosevelt declared himself satisfied. Word was sent up here that we might pass the bill over his veto. When the bill came back from the House I called the attention of the Senate to the facts in the case, and the Rainey River bill was passed here in the Senate unanimously over his veto. Just what papers were filed in the War Department by the company in connection with that matter I am unable at this moment to specify, but I recall that the bill was passed by the consent of President Roosevelt over his veto in both Houses. In the Senate it was passed unanimously and in the House, I think, there were only two or three votes against it.

Mr. WALSH. I am thankful to the Senator for his information, which I think is accurate.

Mr. NORRIS. If the Senator will yield, I think, in connection with the statement of the Senator from Minnesota, while his statement, I think, is perfectly accurate, the fact ought to be emphasized that the bill was passed over President Roosevelt's veto because the objections that the President set out in his message had been fully met by those interested. He let that be known, I think, through a letter to the Secretary of War or some other Cabinet officer. It was read at least on the floor of the House, showing that they had complied with all the objections the President had set forth in some sort of an agreement. So the action of the Senate and the House must not be taken as in any way contrary to the view set forth by the President in his veto message.

Mr. WALSH. I ask that the veto message of President Taft be read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

To the Senate:

I return herewith, without my approval, Senate bill No. 7343, "to authorize the building of a dam across the Coosa River, Ala., at the place selected for Lock No. 18 on said river."

This bill presents a typical case of a river where its development by the Federal Government for navigation should go hand in hand with its development for water power. The reports of the engineers show that comprehensive plans have been made by the Corps of Engineers for the development of navigation on this river by a series of dams constructed for the purpose of creating deep pools. This bill seeks to authorize the construction of one of these dams through a private agency, the Alabama Power Co., which intends to use the water power created for commercial purposes. If the Federal Government chose to build this dam itself in aid of navigation, its right to the water power incidentally created by the dam would be beyond question. When, instead of building the dam itself, it builds it by an agent, as proposed by this bill, I believe it to be equally clear that the dam and all its incidents, including the water power created, is within the regulative power of the Federal Government in respect to navigation.

It is said that the grantee, the Alabama Power Co., proposes to spend over a million dollars in the construction of a dam, as well as to furnish toward the project its riparian rights and to stand the expense and cost of the damages by flowage. It is manifestly entitled to be credited for all these expenditures, and is manifestly entitled to a fair, full, and reasonable profit for its investment and work. But after all of these items are fully allowed for it is equally manifest that in the course of time the return from the privilege thus granted in the shape of valuable water power created may far exceed a reasonable return for these items.

No provision is made in the bill whereby the Secretary of War may, in granting the permit, exact such compensation as in the course of time may prove to be necessary to equalize this account. I think this is a fatal defect in the bill, and that it is just as imprudent to grant this permit without such a reservation as it would be to throw away any other asset of the Government. To make such a reservation is not depriving the States of anything that belongs to them. On the contrary, in the report of the Secretary of War it is recommended that all compensation for similar privileges should be applied strictly to the improvement of navigation in the respective streams—a strictly Federal function. The Federal Government by availing itself of this right may in time greatly reduce the swollen expenditures for river improvements which now fall wholly upon the general taxpayer. I deem it highly important that the Nation should adopt a consistent and harmonious policy of treatment of these water-power projects which will preserve for this purpose their value to the Government whose right it is to grant the permit. The necessity for the adoption of such a policy has recently been pointed out, with my approval, by the Secretary of War, and I see no reason why this bill should be exempted from the safeguards which have been recommended by him in the cases of other bills now pending before Congress.

I therefore return the bill to your honorable body without my approval.

WM. H. TAFT.

THE WHITE HOUSE, August 24, 1912.

[S. 7343. Sixty-second Congress of the United States of America; at the second session, begun and held at the city of Washington on Monday, the fourth day of December, one thousand nine hundred and eleven.]

An act to authorize the building of a dam across the Coosa River, in Alabama, at a place suitable to the interest of navigation about 7½ miles above the city of Wetumpka.

Be it enacted, etc., That the Alabama Power Co., a corporation organized under the laws of the State of Alabama, its successors and assigns, are authorized to construct, maintain, and operate a dam across Coosa River, in the State of Alabama, at a place suitable to the interest of navigation about 7½ miles above the city of Wetumpka, in accordance with the provisions of the act approved June 23, 1910, entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,' approved June 21, 1906."

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

CHAMP CLARK,
Speaker of the House of Representatives.
J. H. GALLINGER,
President of the Senate pro tempore.

I certify that this act originated in the Senate.

CHAS. G. BENNETT,
Secretary.
By H. M. ROSE,
Assistant Secretary.

Mr. BANKHEAD. Mr. President—

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

Mr. WALSH. Certainly.

Mr. BANKHEAD. Mr. President, I am glad the Senator from Montana had that veto message read. The Senate will remember doubtless that we passed a bill authorizing the construction of a power dam in connection with the navigation of the Coosa River. What was the effect of that veto message? The company had filed their plans and specifications with the Secretary of War, which had been approved, for a power dam in connection with navigation at Lock 18 on the Coosa River. The Senate passed the bill by a very large majority, and so did the House. President Taft vetoed it. When I learned that the President was considering the veto of that bill I called upon him at the White House to remonstrate with him and remind him that the principles embodied in the bill were exactly those that he had always advocated in orders and otherwise while he was Secretary of War. He said to me "That is true; those were my views then, and they are my views now."

I said, "Mr. President, why are you thinking of this veto?" He said to me, "Senator, I have a Bull Moose Secretary of War; he insists upon this veto along the lines of a veto message that I have authorized him to write." I said, "That is very strange, Mr. President." "Well," he said, "it is. I have not changed my opinions upon the same, but I am too near the end of my administration to have a family row." That is exactly what occurred.

But, Mr. President, that is not all. This company had filed their plans and specifications and had their capital all in bank for the purpose of building this dam to develop power and navigation when the veto message came. What happened? They simply said, "If the people of Alabama and of this country do not desire their rivers improved"—and they proposed to improve 40 miles of nonnavigable river, as it is now—"and if they do not want this investment for the purpose of manufacturing nitrogen and making fertilizers and erecting electric steel furnaces here, we will go where the people do want it." They pulled up and went to Canada, across the river, and they are there now operating that plant from power from Niagara Falls. They have invested millions of dollars there. They are manufacturing hundreds and thousands of tons of nitrogen and other fertilizing articles.

What else? We are buying it from Canada, shipping it back to the cotton fields and cornfields of the South, paying large prices there, and paying freight upon it, when we could have had it right in the midst of our cotton and corn fields had not that veto message been written. That is the history of that transaction.

Mr. WALSH. Mr. President, I did not have the veto messages read, as I gather some Senators believe I did, because I either approve them as a whole or approve of the grounds upon which they were based. My purpose in having the veto messages read at this time was that we might proceed with the consideration of this bill in the light of the objections which have been made to legislation of this character heretofore, and so that we could have in mind how far the present bill will meet those objections and in what respect we are still at variance with the views which were then expressed by the Chief Executive of the Government.

Mr. President, you will observe that the messages refer to the fact that theretofore it was quite customary to grant permits for the construction of dams across navigable streams in perpetuity, and it was urged that that was a mistaken policy. In the year 1890 Congress passed an act authorizing a dam on the

Missouri River opposite my home in the State of Montana, a distance of about 15 miles from where I live. That dam exists in the river there now. It is developing power which is transmitted a distance of upward of 200 miles. It exists there under the protection and by virtue of that act, and it is a perpetuity; the parties hold the right forever. It was suggested that that was an unwise policy.

Second, it was suggested, as you will observe by the messages, that these grants had been made without any return whatever to the Government for the privilege which was extended by them. It was urged that all these acts ought to contain a provision by which something should be returned to the Government to be used for the further development of the stream in which the dam is erected. This bill refuses to recognize that principle, and it is with reference to that that I desire to speak particularly, but not at this time.

Mr. BANKHEAD. Mr. President, if the Senator from Montana will kindly permit me, I should like to ask him at this juncture whether he is in favor of the principles and policies enunciated in those messages which have just been read; that is, if he believes the Government of the United States ought to charge a royalty or levy a tax upon these power plants?

Mr. WALSH. I shall propose an amendment, under the provisions of which the Secretary of War will be permitted to put a provision in each permit by which the permittee will be required to pay something for the privilege which he exercises, the moneys derived from that to go into a fund for the improvement of the river.

Mr. BANKHEAD. I thought that was the direction in which the Senator was traveling.

Mr. WALSH. The Senator has been quite accurate.

Mr. SUTHERLAND. What privilege does the Senator refer to, the privilege to develop water power?

Mr. WALSH. Yes, sir; the privilege of damming a stream for the development of water power.

Mr. SUTHERLAND. Then the Senator proposes to permit the United States Government to impose a tax upon the grantee for the permission to develop a water power, I understand. Am I correct about that?

Mr. WALSH. The Senator can assign whatever consideration he chooses. I shall tender an amendment under the provisions of which the Secretary of War will be authorized to provide in the permit for the payment of an annual charge by the permittee.

Mr. SUTHERLAND. For myself I will express the hope that if that amendment is adopted the bill itself will fail, because I think it is a power which the Government of the United States does not possess and ought not to possess. I think that the only authority which the Government of the United States has in the premises is to protect the navigability of a stream, and if that question were not involved it would have no authority to say anything about the construction of a dam. The development of water power is a matter, in my judgment, wholly under the control of the State, and for one I shall never consent to any other principle going into the bill.

Mr. SHIELDS. Mr. President—

Mr. WALSH. I yield to the Senator from Tennessee.

Mr. SHIELDS. I wish to say that I think the whole committee so far as I have had an expression are in entire accord with the views expressed by the Senator from Utah [Mr. SUTHERLAND]. I certainly can say for myself that I do not think the United States has the slightest proprietary interest in the beds of the navigable streams of this country. Having no interest in it it has no right to sell it or to charge for it. The sole right is that of regulating navigation under the commerce clause.

But, Mr. President, I understand the Senator from Montana will offer an amendment on that subject at a later stage in the consideration of this bill, and it will perhaps save time and we can make more progress to defer the argument on that question until we reach that amendment.

Mr. WALSH. It was the suggestion of the Senator from Montana that we defer a discussion of the question.

Mr. SHIELDS. I wish to say to the Senator from Montana that in our discussion of this matter I have become thoroughly convinced that he does favor legislation of the kind proposed by this bill in order to develop navigation in streams that Congress now, for want of means, will not improve and in order to develop the power that is so much needed in this country and is now going to waste in them. I have fully believed and yet believe that he has those views and desires to forward legislation of that kind. But if he does agree with and intends to support and to engraft upon this legislation the principles and views expressed by two Executives in the vetoes that he has had read, then he will accomplish nothing. Those

views expressed by President Roosevelt in his veto message on the Rainey River bill and which was followed by President Taft in the subsequent veto of the Coosa project were placed in the act of 1910. That is the reason why since that day we have had no development of power in our navigable streams. If those views are to be incorporated in this bill, then it might as well be withdrawn. It would be simply repeating laws that are already on the statute books that have worked so disastrously and have defeated and will continue to defeat development so long as they are the laws of the country.

Mr. WALSH. Mr. President, I merely desire to say that I think the Senator from Utah [Mr. SUTHERLAND] will hardly agree with the Senator from Tennessee [Mr. SHIELDS] that those principles are found in the act of 1910. I have myself been unable to discover them there, but I said that I should, when I offered the amendment, discuss the reasons which impelled me to support the amendment. As to the matter of power, I shall content myself with setting forth my reasons for believing—and I entertain no hesitancy in the belief at all—that the question of power is not a debatable one and that beyond question it exists.

Mr. OLIVER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

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

Ashurst	Hardwick	Norris	Smith, Ariz.
Bankhead	Hollis	Oliver	Smith, Ga.
Beckham	Husting	Overman	Smoot
Broussard	Johnson, Me.	Page	Stone
Catron	Johnson, S. Dak.	Phelan	Sutherland
Chamberlain	Jones	Pittman	Swanson
Cummins	Kenyon	Reed	Thomas
Curtis	Lane	Robinson	Underwood
du Pont	Lodge	Shafroth	Vardaman
Fletcher	McLean	Sheppard	Walsh
Gallinger	Martin, Va.	Sherman	Warren
Gronna	Martine, N. J.	Shields	Weeks
Harding	Nelson	Simmons	

Mr. SMOOT. I desire to announce the unavoidable absence of the junior Senator from Michigan [Mr. TOWNSEND].

Mr. STONE. I wish to announce the absence of the Senator from Delaware [Mr. SAULSBURY] on account of illness.

The VICE PRESIDENT. Fifty-one Senators have answered to their names. There is a quorum present. The question is on the amendment proposed by the Senator from Montana [Mr. WALSH].

Mr. SHIELDS. Mr. President, I do not wish to discuss in further detail the amendment offered by the Senator from Montana, to strike out certain provisions on pages 1 and 2 of the bill, but will merely say that the provision which it is now proposed to strike out was very thoroughly considered by the subcommittee and by the whole committee, as was the entire bill. It was deemed by them necessary for the protection of the inhabitants of municipalities, and I hope that the Senate will find it proper to reject the amendment and to retain the provision that the amendment proposes to strike out.

Mr. GRONNA. May we have the amendment read, Mr. President?

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 2, in line 24, after the word "State," it is proposed to strike out the following:

But in any case where the State has not made provision for authorizing municipal corporations, political subdivisions, or other agencies of the State or public-utility corporations or agencies to engage in said business, the qualifications of the grantee prescribed in this proviso shall not apply.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Montana.

The amendment was rejected.

Mr. WALSH. Mr. President, by a provision found in lines 8 and 9, on page 3 of the bill, it is provided that the permit when granted shall not be transferred—

Except by trust deed or mortgage issued for the bona fide purpose of financing the business of such grantee * * * without the approval of the Secretary of War—

So that no transfer would be of any value whatever except by his approbation. Of course, it would not be subject to sale and disposition for the debt of the permittee, because, if it were seized and sold, the purchaser at the execution sale might not be able to get the approval of the Secretary of War.

On page 12 it is provided that the plant and all of the appurtenances shall be subject to taxation by the State authorities, and that is a very wise and salutary provision in this bill. Every dollar that is put into the property, like every

dollar invested in any other business, ought to pay its just share of taxes. The provision is as follows:

And the plant and its appurtenances of the grantee, including real, personal, and mixed property, constituting the same and used for the generation and distribution of power, or for other purposes, shall be subject to taxation under the laws of the State where situated as other similar property within the State, while owned by the grantee, or any subsequent owner who may acquire the same by purchase from the grantee, or other person, or under any proceeding herein authorized and provided for.

That, I repeat, is a very wise and a very salutary provision; but if the property is assessed for taxes and the taxes are not paid, and if then the property is sold to satisfy the delinquent taxes, the purchaser gets nothing, because every transfer of the property is forbidden, except it be with the approval of the Secretary of War. I submit, then, to the Senator from Tennessee whether, in order to accomplish the purpose that he has in view, it will not be necessary to take out the words "without the approval of the Secretary of War."

Then, Mr. President, I ask, Why should this permit be thus hampered in respect to its disposition by the permittee? If a company gets the permit and operates the property for a period of 10 or 12 or 15 years, and then the company wants to sell the property, or if it is an individual and he wants to sell the property, why should he be obliged to go and get the approval of the Secretary of War before he can make the transfer?

Mr. SHIELDS. Mr. President, as I understand the amendment offered by the Senator from Montana, it is to strike out, in lines 8 and 9, the words "without the approval of the Secretary of War." The whole clause is this:

And no transfer of any such permit or of the rights thereunder granted, except by trust deed or mortgage issued for the bona fide purpose of financing the business of such grantee, shall be made by any grantee, without the approval of the Secretary of War, to any transferee not having the qualifications herein specified for a grantee hereunder, and any successor or assign of the rights of any such grantee, whether by voluntary transfer, judicial sale, or foreclosure sale, or otherwise, shall be subject to all the conditions of the permit under which such rights are held by such grantee, and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the grantee hereunder.

The amendment is, in substance, one that has just been rejected. It is in the same section, and provides that no transfer shall be made unless the grantee shall have the qualifications required in the preceding part of the section; in other words, it gives the preference to the municipality. If there is any objection of the kind suggested by the Senator from Montana, where the property is sold for taxes, which may be assessed under a subsequent provision of the act, that can be remedied when we reach that section of the bill; but this amendment, I think, should be, and I am hopeful will be, rejected.

Mr. SMITH of Georgia. Mr. President, I should like to ask a question. Does the Senator from Tennessee think it necessary to require the approval of the Secretary of War before one of these transfers can be made?

Mr. SHIELDS. I think it is necessary in order to preserve the preference in favor of municipal corporations. That is what it was intended to do; that is the whole object of it. Generally, in order to make such property more attractive, it ought to be subject to sale. The right to sell is, of course, one of the most essential qualities of property value; but this particular section relates to what has passed, to the provisions previous to the ones now objected to, and not to the whole bill.

Mr. NORRIS. Mr. President, I should like to have the attention of the Senator from Tennessee. I can not understand how he can put the construction on this language which he does put on it. It seems to me it will have the opposite effect, especially when you take into consideration the particular place where these words occur in the bill.

The section provides certain qualifications for the grantee or the permittee, as you might call him. Not everyone will have the right to become a grantee and to build a dam, as provided for in this section. As I understand, if we leave in the words which the Senator from Montana proposes to strike out by his motion, the language will mean that, notwithstanding the fact that a grantee must have certain qualifications specified in the bill, if the Secretary of War will consent, such a qualified grantee may transfer his interest to a person who does not possess those qualifications. I myself would have no objection to providing that no transfer shall be made without the consent of the Secretary of War; but this is the way it reads as the language now stands in the bill:

And no transfer of any such permit or of the rights thereunder granted, except by trust deed or mortgage issued for the bona fide purpose of financing the business of such grantee, shall be made by any grantee, without the approval of the Secretary of War, to any transferee not having the qualifications herein specified for a grantee hereunder.

In other words, the bill provides certain qualifications before a corporation or a municipality can be entitled under the law to build a dam. A corporation thus qualified, we will say, build a dam. Subsequently they want to transfer the improvement to somebody who does not possess the qualifications required, and thus entirely nullify the provision concerning qualifications. They can do so if the Secretary of War will consent. His consent is the only thing standing in their way. I can not put any other construction upon that language. I take it that the Senator from Tennessee does not want to do that.

Mr. SHIELDS. I will direct the Senator's attention to what follows the language he has read:

And any successor or assign of the rights of any such grantee, whether by voluntary transfer, judicial sale, or foreclosure sale or otherwise, shall be subject to all the conditions of the permit under which such rights are held by such grantee and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the grantee hereunder.

So that it is expressly provided here that any purchaser or subsequent grantee, in the language of the bill, shall be subject to all the conditions and provisions of the bill. I certainly do not wish that the property may be sold and thus allow the subsequent purchaser to escape the provisions of this bill regulating the exercise of the power granted. On the contrary, it is expressly provided that he shall be subject to these provisions.

Mr. NORRIS. Mr. President, the Senator, it seems to me, does not get the distinction between the qualifications of the grantee and the law that will control the operation of the plant under the grant. There is a distinction; otherwise why is it provided in the same section:

That when the power to be developed by the project and improvement of the stream for navigation is used or to be used for a public-utility purpose or purposes the grantee must be—

Then the bill provides who the grantee must be; there are several classes—

a municipal corporation, or a political subdivision, or other agencies of a State, or a public-service agent of a State, or a public-utility corporation created and organized under the laws of a State or the United States.

Those are the only classes qualified under this bill to become grantees where the object of the water development is for a public-utility purpose or purposes. Then the bill says that the grantee shall not transfer or sell his right to any person or persons not qualified to take it originally, unless the Secretary of War shall consent. It is true that if the Secretary of War consented and the grantee transferred his right to some one who was not qualified under the bill, the transferee would have to comply in the management of the plant with the bill as the Senator has read it, but I think by leaving in the words indicated by the Senator from Montana at the place where they are found in the bill, we practically say any person or corporation will be qualified to become a grantee under this bill, provided the Secretary of War agrees to the transfer.

If that be the object, then we have put in a lot of useless language, because the committee has tried to provide that only certain persons or corporations can become grantees under this bill, and then it is provided that they can not transfer their grant to anybody else who does not possess the same qualifications that they possess unless the Secretary of War consents.

I take it that the object of the committee was to prevent any transfer except with the permission and with the consent of the Secretary of War, and to that I have no objection; but the place in the bill where they have put this language, if I understand it, would enable the Secretary of War absolutely to nullify the provisions of the bill so far as the qualification of the grantee is concerned. Why not add at the end of the section such a provision as this:

Provided, however, That no transfer shall be made without the consent of the Secretary of War.

That would do away with the objection I am making, but if you leave in the words "without the approval of the Secretary of War" as they are now, they apply only to the transfer to some one else who does not possess the qualifications that the original grantee must possess before he can get the right to develop the power. Let me read it as it would read with the words stricken out:

And no transfer of any such permit or of the rights thereunder granted, except by trust deed or mortgage issued for the bona fide purpose of financing the business of such grantee, shall be made by any grantee to any transferee not having the qualifications herein specified for a grantee hereunder.

Now, I have read it with the objectionable words stricken out as they would be stricken out if the amendment of the Senator from Montana should prevail. If you leave those words in, then you say in substance that no transfer shall be made of this property to anyone who does not possess the qualifications

necessary under the law for an original grantee unless the Secretary of War shall consent.

Let us suppose a case where some one properly qualified under the law secures such a grant as the bill provides, and after it has been obtained he happens to be a friend of the Secretary of War, who perhaps has no sympathy with this law. The grantee can make money if he can sell his rights to some one who has none of the qualifications provided by law, and if the Secretary of War consents to the transfer, he makes the sale. It is legal; there is not any way to prevent it; he has complied absolutely with the statute. In other words, if you leave those words in there, as I look at it, you have placed it absolutely in the hands of the Secretary of War to nullify the act so far as the qualifications of the grantee are concerned.

I admit that even after that transfer was made the transferee would be subject to the laws that exist regulating rates, and so forth, but the act has been nullified so far as the qualifications of the grantee are concerned. It seems to me that those words ought to go out.

Mr. WALSH. Mr. President, I trust the Senator from Tennessee will address his mind to the considerations advanced by the Senator from Nebraska [Mr. NORRIS]. There is no possibility of getting away from the conclusion he has stated. This language means that the Secretary of War may authorize the transfer to a person who would otherwise be disqualified under the act. That is what the language means right there.

Mr. SHIELDS. Mr. President, while I do not agree with the construction Senators have placed on this provision, certainly I do not intend it to have the effect that they say it will have; and in order that I may further consider the question according to the intention of the committee, I will ask that the amendment be passed over for the present.

Mr. NORRIS. Mr. President, right in that connection let me ask the Senator if he believes, and if the committee concur in his view, that no transfer ought to be made without the consent of the Secretary of War? I am not contesting that at all; but I should like to have the Senator consider, in connection with the proposal to strike out the words suggested by the Senator from Montana, the addition of another proviso at the end of the section, which would read:

Provided, however, That no transfer shall be made without the consent of the Secretary of War.

Mr. SHIELDS. The committee will consider that.

Mr. NORRIS. I think that will fully meet the idea the Senator wants to convey.

Mr. WALSH. Mr. President, there is another matter in that same connection to which I desire to invite the attention of the Senator from Tennessee—one of very particular importance, if my judgment in the matter is of any value whatever. The proviso on page 2, which engaged our attention a little while ago, very properly provides that a municipal corporation may secure a permit from the Government. The language is:

That when the power to be developed by the project and improvement of the stream for navigation is used or to be used for a public-utility purpose or purposes the grantee must be a municipal corporation, or a political subdivision, or other agencies of a State—

And so on.

But a proviso at the bottom of page 17, section 11, reads as follows:

And provided further, That the provisions of this act shall not apply to irrigation or power dams or grants to municipal corporations affecting the use of water or water power for municipal purposes.

I inquire of the Senator how, then, will a municipal corporation get a permit to construct a dam for the purpose of generating power for municipal purposes?

Mr. SHIELDS. Mr. President, the provision to which the Senator refers has been only partially read by him. It proceeds—

Or to other projects approved or erected under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture upon the public lands of the United States.

It is limited in that way. The Senator also has an amendment to strike out the language that I have read. I suggest that he present the criticism which he now makes when we reach that particular amendment.

Mr. WALSH. I shall be very glad to do so.

Mr. NORRIS. I desire to call the attention of the Senator from Tennessee to the language on page 2, in line 9, where, in giving construction to the act, it says:

And shall be construed to mean political subdivisions of States, municipal corporations, corporations, companies, and associations—

And so forth. I do not know that it is of any particular importance, or that such an application would ever be made; but ought not this construction of persons also to mean States as well as political subdivisions of a State? We might have a

case, I suppose—while there may be no such case now, as time goes on there may be cases—where the State itself would want to make application under this law for power.

Mr. SHIELDS. I will say to the Senator that that matter was fully considered by the committee, and in the first draft of the bill States were included. There are, however, some subsequent provisions in the bill that provide that the grantee shall be subject to the orders, rules, and regulations made by the Secretary of War, and for violation of them shall be guilty of a misdemeanor, and quite a number of other provisions along those lines. The committee, I think very properly, struck out "States," because Congress would hesitate long before it would provide that one of the sovereign States of the Union should be ordered about by the Secretary of War and the Chief of Engineers, and should be guilty of a misdemeanor for violating a regulation. If a sovereign State should at any time desire to make a development of the kind provided by this bill, it could come to Congress and get a special permit for that purpose. It would not be a frequent case, however.

Mr. NORRIS. No; it may never occur.

Mr. SHIELDS. And it may never occur.

Mr. NORRIS. That is true.

Mr. SHIELDS. I think we should hesitate to put a State in such a humiliating attitude as that would do if it were included in the bill.

Mr. NORRIS. I should not consider that it was any more humiliating to a State than to a political subdivision of a State, and that is already in the bill.

Mr. SHIELDS. It is.

Mr. NORRIS. In other words, you provide here that a political subdivision of a State may make application under the bill.

Mr. SHIELDS. And I regret that a subdivision of a State or a municipality should be made subject to the orders of a Federal officer here in Washington. The bill, however, is of course a compromise of views upon the subject, and there are some who insisted that such a provision should be contained in it.

Mr. NORRIS. Then, I want to ask the Senator another question: If this bill should become a law as it is proposed to be enacted here, and a State desired to build a dam in one of the navigable streams to develop power for the lighting of its capitol and capitol grounds, it would not be permitted to do so under this bill, would it?

Mr. SHIELDS. In effect, any State could do so by creating one of these public utilities or a special corporation for that purpose, just as Congress has created a corporation to construct the Panama Canal.

Mr. NORRIS. Yes. In other words, the State would have to proceed in an indirect way. It could not do it directly?

Mr. SHIELDS. It is very proper, I think, that such a policy should not be provided.

Mr. NORRIS. It does not seem to me that in the law we ought to prohibit a State from doing that if the State wants to do it. I have no State in mind that has any such object in view; but, speaking for myself, if a State—the State of Maryland, let us say—wanted to build a dam in a navigable stream for the purpose of developing water power and electric energy, or for the purpose of manufacturing nitrogen, or for the purpose of using the prisoners of the State in some occupation, or something of that kind, I can not see why we should not permit it to do so the same as anybody else. It seems to me that it ought to have a preference; that if it desires to avail itself of this law it ought to be allowed to do so.

Mr. SHIELDS. I fully agree with the Senator, but it would be incongruous to put such a provision in this bill. There are provisions in it that would be wholly inconsistent with the rights and dignities of States. States may exercise this right through corporations created for that express purpose, through subdivisions of the State, or through public agencies. That language is used in this section. Then, again, if at any time the State of Maryland or any other State desired to make such a development Congress would not hesitate, if it was right to do so, to grant a special act with provisions that are consistent with the dignities and rights of the States, instead of those that are in this bill.

In other words, if the Senator will consider this entire subject and all the provisions of this bill, he will find that it contains restrictions and limitations which it would be improper to impose upon the States of the Union, and that the rights of States and of private corporations can not be treated in the same way and in the same bill. To put the States in this bill, I think, would substantially require a rewriting of the measure.

Mr. CUMMINS. Mr. President—

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

Mr. CUMMINS. It seems to me that the thought of the Senator from Nebraska is fully covered in the words "other agencies of a State or a public-service agent of a State." The State would have to operate through some organization, and any such organization must come within either the phrase "other agencies of a State" or the phrase "public-service agent of a State."

I rose, however, to ask the Senator another question, and I will premise it by a statement. I do not believe there is any possible operation for the proviso. I do not believe there is a State in the Union to which it will apply; and I believe that the whole of the section after the word "Provided," in line 13, is meaningless.

Mr. NORRIS. I understand. Of course I had nothing to do with the drafting of it; but I am informed—if I am wrong, the Senator from Minnesota [Mr. NELSON] might correct me—that under some of the language of this proviso it is expected that the State of Minnesota and the cities of St. Paul and Minneapolis will probably build a dam in the Mississippi River. Is that true?

Mr. NELSON. No; there is a Government dam built there. There is another section of the bill that relates to that. This provision of the bill relates to the construction of dams by others than the Government.

Mr. CUMMINS. What I mean is this: The proviso contains these words:

But in any case where the State has not made provision for authorizing municipal corporations—

Mr. NORRIS. I did not have reference to those words.

Mr. CUMMINS. No; nor did I in the suggestion I made a moment ago.

Political subdivisions, or other agencies of the State or public-utility corporations or agencies to engage in said business, the qualifications of the grantee prescribed in this proviso shall not apply.

I repeat that there is not a State in the Union and there can not be a State in the Union which has not made such provision concerning some one or more of these instrumentalities, and therefore the proviso concerning which we have been talking will never apply. I venture to say there is not an imaginable case in the United States to which the proviso could apply.

Mr. NORRIS. Does the Senator mean the balance of the proviso now or just what he has read?

Mr. CUMMINS. Of course, the balance of the proviso goes with the part I have read.

Mr. NORRIS. Yes.

Mr. CUMMINS. If you neutralize the limitation contained in the proviso up to the point at which I began to read, if the instance to which that part of it is intended to apply never occurred, then, of course, the event described in that part of the section to which the Senator has just been addressing himself and concerning which the amendment is proposed to be adopted would never occur, and the whole act would end in all its substance with the first word "provided," in line 13.

Mr. SHIELDS. Mr. President, I do not care to discuss the amendment that has been rejected; but the Senator is entirely mistaken in saying that a case can not be imagined where the municipality has not the power by its charter to develop water power. I know of such cases in my own State, and I think if the Senator will take up the charters of thousands of municipalities in the United States he will find that there are numbers of them with very limited power, and they certainly do not include such a power as that.

Mr. CUMMINS. Undoubtedly. The Senator from Tennessee is clearly right; but he is not paraphrasing the provision to which I referred. Now, mark, let me state it once more. It is provided that this limitation shall not apply—

where the State has not made provision for authorizing municipal corporations—

Now, there are instances in which it may not have authorized municipal corporations to do this, I agree.

Political subdivisions—

There may be cases in which the State has not authorized any political subdivision to do work of this character— or other agencies of the State—

There may be instances in which no such provision as an agency of the State has been arranged for— or public-utility corporations—

Is there a State in the Union that has not a public utility corporation? I believe not— or agencies to engage in said business—

That is, any activity that engages in the business of supplying water, heat, or electric energy. Now, if there is any State in the Union that has not one or the other of those agencies, then the Senator's limitation would have some effect; but if there is no such State, it would have no application.

Mr. SHIELDS. Then I will ask the Senator, What harm can it do?

Mr. CUMMINS. It means that it is keeping the promise to the ear and breaking it to the hope. In the first place, it is suggested that you give public utility purposes the preference. You do not. It is suggested that you give municipal corporations the preference in public utility work. In my judgment, you do not; and you leave the act precisely as it is contained in the first part, namely—

that the word "persons," as used in this act, shall be construed to mean both the singular and plural as the case demands, and shall be construed to mean political subdivisions of States, municipal corporations, corporations, companies, and associations; and the term "grantee" herein shall mean any such persons to whom shall be granted a permit as herein provided.

And you have neither given preference to public-utility demands, nor have you given the preference in public-utility demands to municipal corporations or political subdivisions of a State.

Of course, I know that the Senator from Tennessee did not intend any such thing. I confess I may be wrong. I am speaking from an analysis, however, that I have made with some care. I intend to offer an amendment to this section, not just the equivalent of the one that has been voted down, but an amendment to the section, in which public utility—that is, public service—shall be given the first consideration, and providing that in rendering the public service the municipal corporation or the political subdivision shall have the preference.

Mr. SHIELDS. Of course, the Senator's opinion, both as a lawyer and as a legislator, is entitled to great weight; but the subcommittee considering this provision of the bill at the last session of the Congress, and this Senate, differed with him. The entire Committee on Commerce differed with him. As a member of it, I differ with him now in his construction. It was intended to give municipalities a preference. That question has already been discussed here, and the Senate has agreed with the committee presenting the bill and has rejected the amendment offered. We think it amply protects the interests of the municipalities, as it was intended to do, although not in the language that the Senator would prefer. Of course, he has the right to offer an amendment in his own language to carry out the purpose which we think is amply provided for in the bill.

I do not understand, however, that this discussion is germane to the suggestion made by the Senator from Nebraska. There is no amendment offered now, as I understand, and I ask that the reading of the bill be proceeded with.

The VICE PRESIDENT. The bill is in Committee of the Whole and open to further amendment.

Mr. CUMMINS. Mr. President, I rise to a parliamentary inquiry. Is the bill being considered section by section, and is it the order that it be adopted section by section?

The VICE PRESIDENT. There is nothing of that kind that the Chair knows of. The bill is in Committee of the Whole and open to amendment at any place, as the Chair understands.

Mr. CUMMINS. That is, any part of the bill will be open to amendment until it is finally disposed of?

The VICE PRESIDENT. The Chair so understands.

Mr. VARDAMAN. Mr. President, it is desired to have a short executive session. Would the Senator from Tennessee consent to temporarily laying the bill aside and going into executive session at this time?

Mr. SHIELDS. Unless the Senator has some special reason for going into executive session at this time, I should prefer to proceed with the bill.

Mr. VARDAMAN. I shall not insist on it, but I give notice that I want a short executive session before adjournment. I thought Senators had amendments they were going to offer, and perhaps they were not ready with them. I shall not insist, however, upon taking that action at this particular time. If the Senator from Tennessee wishes to proceed, I shall not object.

Mr. SHIELDS. I will yield to the Senator's desire in the matter. I ask that the bill be temporarily laid aside.

Mr. NEWLANDS. Mr. President, may I not ask simply for an opportunity for a vote on the joint resolution that was up to-day? I am sure there will be no debate upon it. The joint resolution has been amended, and is now in shape for final passage.

Mr. VARDAMAN. I do not think it is possible to get a vote upon it. It would necessitate calling the roll.

Mr. SHIELDS. I ask for action on my request that the bill be temporarily laid aside.

EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 16, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 15, 1916.

ASSISTANT APPRAISER OF MERCHANDISE.

Redmond S. Fitzgerald, of Dorchester, Mass., to be assistant appraiser of merchandise in customs collection district No. 4, with headquarters at Boston, Mass., in place of Osgood C. Blaney, resigned.

REGISTER OF LAND OFFICE.

Victor G. Cozad, of Canyon City, Oreg., to be register of the land office at Burns, Oreg., vice William Farre, term expired.

SURVEYOR GENERAL.

William A. Lynch, of Huron, S. Dak., to be surveyor general of South Dakota, vice Clark B. Alford, whose term will expire March 20, 1916.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants in the Medical Reserve Corps with rank from February 12, 1916.

Herbert Jerome Rosenberg, of Georgia.
 Mather Cleveland, of Colorado.
 John Radway Le Comte, of New Jersey.
 Henry Lee Wenner, jr., of Ohio.
 Francis Bonneau Johnson, of South Carolina.
 James Walker Walters, of Virginia.
 Kenneth Allen Phelps, at large.
 Adam Edward Sherman, of Illinois.
 William Wesley Hoggatt, of Indiana.
 Harry Clifford Miller, of Colorado.
 William Vaux Ewers, of New York.
 Charles William Hennington, of New York.
 Clayton Kendall Haskell, of New York.
 Charles Lane Hincer, of New York.
 Albert Bowen, of New York.
 Charles Clyde Sutter, of New York.
 Arthur Patterson Reed, of New York.
 William Aloysius Dalton, of New York.
 Phillips Maurice Chase, of Colorado.
 Curtis Dudley Pillsbury, of Michigan.
 Richey Laughlin Waugh, of Washington.
 Frank Hinman, of California.
 Charles Hansell Watt, of Georgia.
 Nathan Davis McDowell, of New York.
 Samuel Boyd Ross, of Washington.
 James Walker Jameson, of New York.
 George Nathaniel Pratt, of Illinois.
 Charles Wentworth Hoyt, of New York.
 Ammi Ballinger Edgar, of Virginia.
 Ira Cohen, of New York.
 Philip Van Ingen, of New York.
 William Joseph Froitzheim, of Kentucky.
 Joseph Briggs Howland, of Massachusetts.
 Wayland Augustus Morrison, of California.
 Sumner Everingham, of New York.
 Constant Moreaux Colignon, of Illinois.
 Harry William Helmen, of Indiana.
 William Francis Hewitt, of Illinois.
 Thomas Christian Paulsen, of Illinois.
 Charles Edison Swezy, of Nevada.
 George de Tarnowsky, of Illinois.
 John Aikman, of New York.
 George Merrill Randall, of Florida.
 Lindsay Alexander Beaton, of Illinois.
 James Albert Corscaden, of New York.
 Max Alonzo Almy, of New York.
 John Denison Fowler, of New York.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 15, 1916.

PROMOTIONS IN THE ARMY. CORPS OF ENGINEERS.

Capt. Harold C. Fiske to be major.
 First Lieut. Earl North to be captain.

CAVALRY ARM.

Capt. Walter C. Short to be major.
 First Lieut. James E. Abbott to be captain.
 First Lieut. Rowland B. Ellis to be captain.
 First Lieut. Selwyn D. Smith to be captain.
 First Lieut. George F. Bailey to be captain.
 First Lieut. Clarence C. Culver to be captain.
 First Lieut. Frederick G. Turner to be captain.
 First Lieut. Frank B. Edwards to be captain.
 First Lieut. William C. Gardenhire to be captain.
 First Lieut. Benjamin O. Davis to be captain.
 First Lieut. Edward C. Wells to be captain.
 First Lieut. James P. Barney to be captain.
 First Lieut. Richard W. Walker to be captain.
 Second Lieut. Elbert E. Farman, jr., to be first lieutenant.
 Second Lieut. Henry W. Hall to be first lieutenant.
 Second Lieut. Edwin V. Sumner, jr., to be first lieutenant.
 Second Lieut. Arthur E. Wilbourn to be first lieutenant.
 Second Lieut. Ernest G. Cullum to be first lieutenant.
 Second Lieut. William W. Erwin to be first lieutenant.
 Second Lieut. Herbert H. White to be first lieutenant.
 Second Lieut. Chauncey St. C. McNeill to be first lieutenant.
 Second Lieut. Frank K. Ross to be first lieutenant.
 Second Lieut. Herman Kobbé to be first lieutenant.
 Second Lieut. John A. Warden to be first lieutenant.
 Second Lieut. John B. Johnson to be first lieutenant.
 Second Lieut. Victor M. Whitside to be first lieutenant.
 Second Lieut. Claude DeB. Hunt to be first lieutenant.
 Second Lieut. N. Butler Briscoe to be first lieutenant.

INFANTRY ARM.

First Lieut. William B. Wallace to be captain.
 First Lieut. Wylie T. Conway to be captain.
 Second Lieut. Frederick C. Phelps to be first lieutenant.
 Second Lieut. James L. Frink to be first lieutenant.
 Second Lieut. Edmund R. Andrews to be first lieutenant.
 Second Lieut. Joseph A. Rogers to be first lieutenant.

COAST ARTILLERY CORPS.

First Lieut. John L. Holcombe to be captain.
 First Lieut. James S. Dusenbury to be captain.
 Second Lieut. Calvin M. Smith to be first lieutenant.
 Second Lieut. Ralph E. Haines to be first lieutenant.
 Second Lieut. Richmond Trumbull Gibson to be additional second lieutenant.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants.

Ira Ross Clark.
 Andrew Roy MacAusland.
 George Millar Sabin.
 Floyd William Hunter.
 William Henry Mansperger.
 Howard Henry Dignan.
 Frederick Walter Kroll.
 Herbert Budington Wilcox.
 Winfred Morgan Hartshorn.
 Edward Martin Colje, jr.
 James Lawrence Evans.
 Percy Herbert Williams.
 Herbert Charles Clark.
 Robert Holmes Greene.
 John Roscoe Elliott.
 Carlton Lakey Vanderboget.
 William Gray Phillips, jr.
 Harry Kalman Loew.
 Augustus Riley.
 George Milton Linthicum.
 Dennis Frank Reeder.
 Jerome Kingsbury.
 Harry Pepper.
 Claren Emmett Pfeiffer.
 Peter Lyons Harvie.
 Francis James Grandfield.
 Henry Paul Brown, jr.
 Alfred M. Hellman.
 Harold Montgomery Craig.
 Frank Lappin Horsfall.
 Samuel William Spencer Toms.
 Calvin Hooker Goddard.
 Max Washington Myer.

POSTMASTERS.

ALABAMA.

Hortense Rowe, Camp Hill.

ALASKA.

Charles H. Scheffler, Cordova.

CALIFORNIA.

Merton Blackford, Fullerton.
 M. G. Callaghan, Livermore.
 George B. Coon, Dunsmuir.
 Samuel E. Crutcher, Maxwell.
 W. H. Kerr, Coalinga.
 L. P. Miller, Rio Vista.
 Rosanna M. Sharkey, Escalon.

COLORADO.

Samuel W. Baber, Cheyenne Wells.
 Henry V. Fluke, Eads.

CONNECTICUT.

Patrick L. Shea, Derby.

GEORGIA.

W. W. Beard, Blakely.

IDAHO.

William Laurensen, Downey.
 N. M. Talbott, Juliaetta.

INDIANA.

Harry M. Van Lear, Garrett.

IOWA.

Martin P. Klindt, St. Ansgar.
 N. E. Sheridan, Bancroft.

KANSAS.

Ella Braddock, Madison.

MAINE.

Donald L. Brown, Milo.
 Elwin A. Sampson, Brownville.
 George H. Williams, Alfred.

MASSACHUSETTS.

Joseph L. McGrath, Sharon.

MINNESOTA.

Otto N. Raths, St. Paul.

MISSISSIPPI.

William T. Smith, New Albany.

MISSOURI.

Cris Ogden, Oronogo.
 John C. Payton, Queen City.
 Thomas B. Wilson, Ilasco.

NEVADA.

James Ritchie, Winnemucca.

NEW JERSEY.

Frederick W. Borough, Zarephath.
 Walter H. Fish, Beverly.
 George E. Halladay, Manville.
 Louis V. Ludlow, Far Hills.
 Philip E. Rockafellow, Stockton.
 Townsend D. Showell, Absecon.

NEW YORK.

Charles R. Dixon, Hobart.
 Matthew J. Murtha, Irvington.
 James E. Robinson, Hermon.
 Charles H. Stokes, Kerhonkson.

NORTH DAKOTA.

Alfred K. Cochrane, Finley.
 J. R. Krueger, Flasher.

OHIO.

Charles H. Dale, Troy.
 O. D. Ellenwood, Belpre.
 Gideon Locher, Bluffton.

OKLAHOMA.

Nettie C. Fluke, Boynton.
 Allen E. Jennings, Perkins.
 J. A. Pfalzgraf, Coyle.

UTAH.

George A. Allen, Nephi.
 E. M. Tyson, Brigham.

VIRGINIA.

Robert L. Dudley, Rural Retreat.

WASHINGTON.

Guy G. Grow, White Salmon.

WISCONSIN.

Byron Chapel, Green Lake.
F. Y. King, Tigerton.

WYOMING.

F. E. Godfrey, Lander.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 15, 1916.

The House met at 12 o'clock noon.

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

We come to Thee, O God our Father, praying for that grace which makes for increased devotion to right and truth and justice, that our homes may be clean, our Republic pure. "Righteousness exalteth a nation, while sin is a reproach to any people." Help us to consecrate ourselves anew to the work which Thou hast given us to do, that with patience, industry, and perseverance we may fulfill the desires of Thy heart and satisfy the highest and purest aspirations of our own souls this day. In the spirit of the Lord Jesus Christ. Amen.

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

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I call up the conference report on the urgent deficiency bill (H. R. 9416) and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] calls up the conference report on the urgent deficiency bill and asks that the statement be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The conference report is as follows:

CONFERENCE REPORT (NO. 174) (S. DOC. NO. 319).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9416) making appropriations to supply further urgent deficiencies in appropriations for the fiscal year ending June 30, 1916, and prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 9, and 22.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 6, 10, 13, 15, 17, 18, 19, 20, 21, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 39, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Omit all of that part of the matter inserted by said amendment after the word "purposes" in line 21; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$25,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"NATIONAL PARKS.

"There is appropriated, for the remainder of the fiscal year 1916, from the several appropriations for protection, improvement, and management, etc., of the various national parks, including the Hot Springs Reservation, as well as from the revenues from privileges, etc., in the national parks and the Hot Springs Reservation, such sum or sums as the Secretary of the Interior in his judgment may deem necessary, to be expended in employment of the superintendent of national parks in the District of Columbia and in the field, and other necessary expenses in connection with the administration of the national parks and the Hot Springs Reservation; a detailed statement of such expenditures to be submitted to Congress."

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Transpose the matter inserted by said amendment to follow line 6, page 28, of the bill; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and

agree to the same with an amendment as follows: On page 30 of the bill, in line 1, after the sum "\$59,259.50," insert the following: ", and the judgment therein in favor of 'Andrew D. Everett, administrator, Thomas W. Everett, deceased,' shall read 'Thomas W. Everett, administrator, Andrew D. Everett, deceased,' and the judgment in favor of 'Mrs. Joseph E. Winn, administratrix, John Winn, deceased,' shall read 'John M. Winn and Mrs. Joseph E. Winn, administrators, John Winn, deceased'"; and the Senate agree to the same.

The committee of conference have been unable to agree on the amendments of the Senate numbered 1, 2, 5, 11, and 14.

JOHN J. FITZGERALD,

JOHN J. EAGAN,

Managers on the part of the House.

THOMAS S. MARTIN,

N. P. BRYAN,

Managers on the part of the Senate.

The statement was read as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9416), making appropriations to supply further urgent deficiencies in appropriations for the fiscal year ending June 30, 1916, and prior years, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, namely:

No. 3: Inserts the paragraph, proposed by the Senate, making an independent bureau of the Division of Efficiency of the Civil Service Commission.

No. 4: Appropriates \$6,000 for traveling expenses and \$300 for salaries of field examiners for the Civil Service Commission, as proposed by the Senate.

No. 6: Appropriates \$3,000, as proposed by the Senate, for the subscription of the United States to the International Geodetic Association for the years 1915 and 1916.

No. 7: Strikes out the language, inserted by the Senate, in connection with the appropriation for the public building at Birmingham, Ala.

No. 8: Appropriates for the central heating, lighting, and power plant as proposed by the Senate and strikes out the language requiring the submission of the plans therefor to the Fine Arts Commission and the President of the United States.

No. 9: Appropriates \$25,000, as proposed by the House, instead of \$50,000, as proposed by the Senate, for repairs and preservation of public buildings.

No. 10: Appropriates \$300,000, as proposed by the Senate, for the payment of claims arising under excise taxes levied by the act of August 5, 1909.

No. 12: Appropriates \$25,000, instead of \$50,000, as proposed by the Senate, for rural sanitation.

No. 13: Inserts the language proposed by the Senate relative to the publication of notices in condemnation cases for opening, widening, extending, etc., streets in the District of Columbia.

No. 15: Appropriates \$1,250, as proposed by the Senate, for rental of additional quarters for the Navy Department.

No. 16: Makes available for the remainder of the fiscal year 1916 the appropriations and revenues of national parks for the employment of the superintendent and payment of administrative expenses of national parks in the District of Columbia and in the field.

Nos. 17, 18, and 19: Appropriates \$5,000 for limited indemnity for lost domestic registered, insured, and collect-on-delivery mail for the fiscal year 1914, in the language proposed by the Senate.

No. 20: Appropriates \$20,000, as proposed by the Senate, for investigation and eradication of the white-pine blister rust.

No. 21: Appropriates \$75,000, as proposed by the Senate, for the destruction of wild animals infected with rabies in the Western and Northwestern States.

No. 22: Strikes out the appropriation of \$750, inserted by the Senate, for a clerk to the Superintendent of the Coast and Geodetic Survey.

No. 23: Appropriates \$7,500, as proposed by the Senate, instead of \$5,000, as proposed by the House, for maintenance of vessels of the Bureau of Fisheries.

No. 24: Authorizes, as proposed by the Senate, the payment to Mary Meyer, niece of Jacob C. Donaldson, deceased, late a skilled laborer in the Senate Library, the amount of salary due him for December, 1915, and transposes the item to follow the paragraph for the House Office Building.

No. 25: Appropriates \$2,500, as proposed by the Senate, for maintenance of the Senate Office Building.

Nos. 26 and 27: Appropriates \$27,576.15 for holiday pay and \$48,866.76 for leaves of absence in the Government Printing Office, as proposed by the Senate.

No. 28: Appropriates \$5,000, as proposed by the Senate, for printing and binding for the Court of Claims.

Nos. 29, 30, 31, and 32: Appropriates \$5,006.89, as proposed by the Senate, for the payment of judgments of United States courts certified to Congress after the passage of the bill by the House.

Nos. 33, 34, 35, 36, 37, and 38: Appropriates \$27,695.12, as proposed by the Senate, for the payment of judgments of the Court of Claims certified to Congress after the passage of the bill by the House, and, in accordance with the authority granted the conference committee in House concurrent resolution No. 16, corrects an error in the certification of two judgments in Indian deprecation cases submitted to Congress in House Document No. 564.

No. 39: Appropriates \$47,525.33, as proposed by the Senate, for the payment of claims allowed by the accounting officers of the Treasury Department and certified to Congress after the passage of the bill by the House.

The committee of conference have been unable to agree on the following amendments of the Senate:

No. 1, relating to the Lincoln Memorial.

No. 2, relating to the Arlington Memorial Bridge.

No. 5, relating to the Division of Mexican Affairs in the Department of State.

No. 11, relating to the Bureau of Engraving and Printing.

No. 14, relating to the Powell School in the District of Columbia.

JOHN J. FITZGERALD,

JOHN J. EAGAN,

Managers on the part of the House.

Mr. FITZGERALD. Mr. Speaker, I ask for a vote on the adoption of the conference report. I understand the gentleman from Massachusetts [Mr. GILLETT] desired five minutes. Does the gentleman desire that time now?

Mr. GILLETT. I would like to say a word about the appropriation for the power plant either now or when that comes up.

Mr. FITZGERALD. How much time does the gentleman desire?

Mr. GILLETT. Five minutes.

Mr. FITZGERALD. I yield five minutes to the gentleman from Massachusetts.

Mr. GILLETT. Mr. Speaker, I wish to say a word on this amendment on page 17, not criticizing the amendment or the agreement which has been made by the conferees, but simply to call attention to the conduct of executive departments in dealing with these appropriations. It is characteristic of administrations and executive methods, not only in this but in other administrations, and deserves to be pointed out and criticized in this House. When this appropriation was originally made by the Committee on Appropriations for \$1,494,000 estimates were submitted, and in the hearing we were told that the power plant was to be built on certain lines, and it was explained to us just how they were going to build it and exactly how they were going to reach the desired results with this million and a half dollars. There was then appropriated \$35,000 for architects, which, we were told, was not to be expended for outside services on the general plan, but to prepare specifications under this particular plan. Now, what happened after we gave them that appropriation upon that basis? Why, the Secretary of the Treasury, instead of carrying out the plans which had been explained to the committee and on which we supposed the power plant was to be built, took this \$35,000 and employed some New York architects to make new specifications upon the whole plant. Some persons have been unkind enough to suggest that having \$35,000 of patronage it was not fair that the city of New York should not enjoy it. I am not so uncharitable as to think that that was his purpose; but, whatever was his purpose, that money was absolutely wasted, because after employing these New York architects to make new plans they came in and reported that the power plant could not be built with the million and a half which had been set forth by us, but that it would cost several hundred thousand dollars more. They submitted specifications carrying out, of course, their prophecy, and when they called for bids the bids were, of course, several hundred thousand dollars above the amount which we had originally appropriated. I give the Secretary of the Treasury this credit—that, instead of doing what the executive departments generally do, either come to Congress for more money or go on and build a part of it and get it so far along that Congress is obliged to

appropriate more to finish it, he abandoned the plans of the New York architects and went back to the original Treasury officials who had made the report to us, and, although the \$35,000 had been thrown away and wasted, they say they have made plans now on which the plant can be built under the original cost.

I confess I have some misgivings as to whether they will be able now to accomplish what they expect, but they say they will accomplish it for the original cost, and this additional sum that is appropriated here is to carry out the original plan and also to heat additional buildings. So I presume if they are able to accomplish what they promise the original plan will be carried out, after the Secretary has done what executive officials usually do do, after he has departed from the plans which were presented to the Committee on Appropriations and had started to launch out on a different scheme. And yet I say to his credit, after wasting a certain amount of money, he abandoned the new scheme and has returned to the old one. So I am satisfied with the appropriation as it now stands, and I am simply hoping that they will be able to carry out the proposition in the way in which they themselves say they expect to do. [Applause.]

Mr. FITZGERALD. Mr. Speaker, as the gentleman from Massachusetts has fully justified the Treasury Department, I ask for a vote.

Mr. COOPER of Wisconsin. May I ask the gentleman from New York a question?

Mr. FITZGERALD. Certainly.

Mr. COOPER of Wisconsin. What reason was assigned for the failure to submit plans for this heating plant to the Commission on Fine Arts?

Mr. FITZGERALD. There was no reason assigned to me. The question never came before me in that form; but, as I understand, an Executive order has been in force providing that all plans for public construction in Washington shall be submitted to the Commission on Fine Arts for their advice under the statute. It seems that the plans upon which the proposals were invited were prepared and in charge of persons not connected with the Supervising Architect's Office. After the proposals were examined it was ascertained that the building contemplated by those plans could not be constructed within the limit of cost. Thereupon the matter was placed in charge of the officials of the Supervising Architect's Office and the plans were modified so as to obtain the plant contemplated by Congress. When the heating plant was authorized it was then ascertained that the Commission on Fine Arts had not had submitted to them the plans in accordance with Executive order, and thereupon they were submitted to the Commission on Fine Arts.

Mr. COOPER of Wisconsin. And after they were submitted the Commission on Fine Arts criticized them severely, did they not?

Mr. FITZGERALD. No; they criticized particularly the ignorance of Congress in locating the power plant on the proposed site.

Mr. COOPER of Wisconsin. I am not saying whether that is well founded or not. I am sure of my own ignorance—

Mr. FITZGERALD. Well, that is a fact. The gentleman might couch the expression of the fact in different language, but the criticism, as I understand it, is not to the plant, but to the location of the plant.

Mr. COOPER of Wisconsin. Mr. Speaker, I desire in that connection to call the attention of the gentleman from New York [Mr. FITZGERALD] to one particular criticism made by the Commission of Fine Arts, who declare that they knew nothing about the plans for this plant until after the contracts had practically been let. They say:

Its close proximity to the Washington Monument will seriously affect the simple dignity of that structure, and its great bulk and huge stacks will cause a deplorable change in the entire aspect of that section of the city. The commission strongly disapprove of the plans for this structure as submitted, and view with grave anxiety the location of any such plant on this site.

So they do criticize severely not only the location of the plant, but also the plans which have been adopted for the structure itself.

Mr. FITZGERALD. They think that a power plant should be perfected without smokestacks and then that it should not be erected on this site at all. Thus far no plant has been successfully operated without stacks and substituting the forced draft in their place.

Mr. COOPER of Wisconsin. I would like to have two or three or four minutes on this.

Mr. FITZGERALD. I yield to the gentleman five minutes.

Mr. COOPER of Wisconsin. Mr. Speaker, I was much gratified when I saw in the newspapers that at last a Government

power plant was to be erected. I did not understand, however, just where it was to be located, nor that there were to be great smokestacks approximately 200 feet high connected with the structure.

And here I call attention to an official order issued in 1910 by President Taft:

Plans for no public buildings to be erected in the District of Columbia for the General Government shall be hereafter finally approved by the officer duly authorized until after such officer shall have submitted the plans to the Commission of Fine Arts, created under the act of Congress of May 17, 1910, for its comment and advice.

In 1913 President Wilson issued an order:

It is hereby ordered that whenever new structures are to be erected in the District of Columbia under the direction of the Federal Government, which affect in any important way the appearance of the city, or whenever questions involving matters of art with which the Federal Government is concerned are to be determined, final action shall not be taken until such plans and questions have been submitted to the Commission of Fine Arts, designated under the act of Congress of May 17, 1910, for comment and advice.

Now, it is a fact, Mr. Speaker and gentlemen, that notwithstanding these two orders the Commission of Fine Arts was absolutely ignored until after the plans for this important plant were adopted and the contract let. I have been told that one of the officials of the Treasury Department, in trying to explain this ignoring of the commission, said that they supposed the plans had been submitted to the commission before the contract was let. Apparently no pains were taken prior to the letting of the contract to ascertain whether the commission had any knowledge of the plans.

Now, the members of that commission accepted their appointments and have been giving their services to the Government out of a sense of public duty. They are among the very leading men in the United States in their respective professions. One of them, as gentlemen of the House will remember, is the architect of the beautiful State capitol at St. Paul, Minn., of the famous customhouse in New York City, and of the great Woolworth Building. Another is one of the foremost landscape artists of the world, and another is a sculptor of international fame. Each of the other members is a man of similar distinction in his profession. And yet this splendid commission was entirely ignored, both as to the plans for this great plant and as to its location, until after contracts had been made.

I have heard sneering references to this commission. It is only fair to say that they have as much right to speak, though not as much right to vote—but they have as much right to speak their views on this question as has any gentleman on this floor. They are American citizens, the city of Washington is their Capital as much as it is ours, and they are as much interested as we in seeing that nothing is built here which shall in anywise interfere with the harmonious development of the city or mar its architectural beauty. This commission was unanimous in condemning the plans and the location of this plant with these 200-foot smokestacks.

Mr. Speaker, may I ask of the gentleman from New York [Mr. FITZGERALD] if that is a photograph [referring to a picture just brought into the Chamber] which has just been placed on the easel?

Mr. FITZGERALD. That is one of the smokestacks [indicating] that will be removed as the result of this particular plant being erected, which is one of the disfiguring marks now of Washington.

Mr. COOPER of Wisconsin. But there is nothing there to show—

Mr. FITZGERALD. The proposed plant is shown in this picture, which has been taken from the top of the Washington Monument. Here is the proposed plant right here [indicating].

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

Mr. COOPER of Wisconsin. I would like about three minutes more.

Mr. FITZGERALD. I yield to the gentleman three minutes.

Mr. COOPER of Wisconsin. It is the first time I have seen that photograph. Those two stacks in the photograph are hardly visible to the naked eye. But having read of the tricks of photography, I am wondering whether two 190-foot smokestacks in that location would be as nearly invisible as these are in that exhibit. Of course, that photograph is an entirely disinterested production, but nevertheless one can not help wondering whether it at all represents the way those two 190-foot smokestacks on that level ground would look to the average visitor anywhere in the western part of Washington.

Mr. Speaker, an Executive order should be issued which will prevent things of this kind. The officials of the executive departments should be made to understand that no Government building can hereafter be erected in this city until after the Commission of Fine Arts has had an opportunity to examine

the plans and the proposed location, and to advise whether the proposed structure would tend to enhance or to deface the architectural and landscape beauty of the National Capital. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Speaker, a number of misguided gentlemen possessed of inaccurate information have been creating quite a stir about this proposed power plant.

One would imagine that Members of Congress were a set of vandals intent upon destroying, instead of preserving and developing, the beauty of the National Capital. The history of this power plant is interesting, and the subsequent developments are highly illuminating.

In June, 1913, an act was approved by the President which provided for the construction of this power plant upon this particular site at Fourteenth and B Streets, just east of the railroad embankment upon Washington Channel. For three or four years prior to that time Congress had been discussing the propriety of turning that particular site over to the District of Columbia for the purpose of erecting an asphalt plant upon it; and when this power plant was authorized, one-half of the property then owned by the United States Government was reserved with the intention hereafter of utilizing it as a site for an asphalt plant for the District of Columbia.

Since June, 1913, no architect, no member of the Fine Arts Commission, no distinguished engineer, no philanthropic citizen of the United States interested in the development of Washington, made the slightest suggestion that this was an inappropriate place for a power plant. This plant was authorized after the local lighting company had had an opportunity to submit to the Congress a proposition to light and heat the buildings to be included within a designated area. It was demonstrated that the construction of this plant would mean a very considerable saving to the Government. About a year ago the local company submitted a new proposition to the Treasury Department, and an analysis of that proposition demonstrated that there would be considerable economy to the Government in building this particular plant.

After the contracts for the construction of the building were made, since the beginning of this year, representatives of the local lighting company asked the Committee on Appropriations for an opportunity to be heard in opposition to the construction of the plant. They were afforded an opportunity. It was ascertained that they had nothing additional to offer, except to protest that the Government officials were so incompetent and that it would be impossible to build the plant for the sum estimated by them.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Michigan?

Mr. FITZGERALD. In a moment. I prefer to complete my statement; then I will yield. It was urged that this plant be not built, so that they might continue to furnish heat, light, and power to the Government buildings.

After they had failed to induce the committee to make a recommendation to stop work on this plant it was suddenly discovered by distinguished architects, engineers, and public-spirited citizens from all parts of the country that a great act of vandalism was about to be committed. No one objected to the construction of the power plant. Not one of these gentlemen objected to the Government having its own power plant, but they objected to its construction upon this particular site, which happened to be the one place owned by the Government and which, if utilized, made it an economy to build the plant rather than an extravagance. And so eminent gentlemen from all parts of the United States proceeded to bombard Members of Congress with telegrams, protesting against the desecration of Washington, protesting against the construction of a plant with four great smokestacks belching smoke and dust into the White House, asking that the contracts that had been made be arbitrarily suspended while some of those distinguished gentlemen might be permitted to make an investigation to determine just what should be done other than to build this particular plant.

The construction of this plant will eliminate 17 smokestacks from the area within which it is proposed to light and heat buildings and which those gentlemen desire to protect. The particular portion of the water front upon which this plant is to be located has been practically dedicated to commercial purposes. There is to be a fish wharf erected upon this portion of the water front. But some gentlemen imagine that they can so develop Washington that no part whatever of its water front shall be utilized for commercial purposes, but that it shall all be utilized merely as a portion or part of the development of a scheme of certain landscape architects and other prominent

gentlemen. It was heralded that the stacks on this building were to be 235 feet high and would be a serious blot upon the horizon. As a matter of fact, those two stacks will be about 55 feet lower than the present stacks on the building of the Bureau of Engraving and Printing, which will be removed when this plant is in operation. These stacks will be only 35 feet higher than the ridge of the Bureau of Engraving and Printing Building, and if anyone will take the trouble to go to the site of this proposed plant and see how very little of the Washington Monument, which is 555 feet high, can be seen over the Bureau of Engraving and Printing Building, he will realize the absolute impossibility of seeing these two stacks from any portion, practically, of Washington this side of the Mall.

The plant is located one mile and an eighth from the White House. I have met no one who has visited the proposed site of this plant who believes that it will be a detriment to the city of Washington. I have been in this city 17 years, and have endeavored, so far as possible in the prosecution of my official duties, to help build up and beautify the Capital of this country and make it worthy of the country, and to develop it along lines that will make it the finest capital in the civilized world, and I resent the impertinence of the distinguished architects and engineers who have called upon me for the purpose of protesting against the construction of this power plant, who were so absolutely ignorant of what is proposed to be done that I suggested that they were wasting both their own and my time. [Applause.]

No class of men in the United States are more interested in or more jealous of the development and beautification of the Capital than Members of the House of Representatives. Two distinguished engineers, who had never seen the plans of this plant, who knew nothing at all about them, were in Washington making the assertion that the plant could not be built within the sum fixed, although reputable contractors are now engaged in the work of building the plant, under contracts made with the United States Government. Misrepresentations of every conceivable character have been made about what the effect of this plant will be.

I think the statement is due to the House, so that Members may know what is being done. The president of the American Institute of Architects could not tell me within 50 feet what the height of those smokestacks would be, although he was protesting that there were to be so high that they would be offensive to persons on the other side of the city. The most offensive smokestacks in the city of Washington belong to the local lighting company, and are located on Fourteenth Street. If anyone wishes to look at those two filthy black stacks, which this company would utilize if the proposed lighting and heating were turned over to it rather than be supplied by the Government itself, he will realize just how much this plant will do toward the elimination of offensive features in the landscape of Washington. That local plant will probably be dismantled in the near future, as the suggestion has now been made that it be consolidated with one of the railway companies, since the goose that lays the golden egg, the Government contract, will be taken from it in large part and the light, heat, and power supplied by the Government itself.

If any gentleman wishes any information, I shall be glad to answer his questions. This much should be stated, however, for the Record.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. FITZGERALD. Certainly.

Mr. SMITH of Michigan. I have heard it stated that this proposition was never submitted to the Public Buildings and Grounds Committee, and I was wondering if a building costing a million and a half of dollars was not of such a character as would naturally be submitted to that committee for authorization.

Mr. FITZGERALD. This project did not originate in the Committee on Public Buildings and Grounds. It originated in the Committee on Appropriations. After three years investigation the matter was taken up and gone into very fully, and the provision was reported to the House in the sundry civil appropriation bill. It was the subject of very considerable discussion on the floor of the House, and because of the absolute conviction that it was a matter that would result in great economy to the Government, and that it was necessary either to enlarge the existing power plant of the Bureau of Engraving and Printing, or else obtain the light, heat, and power by contract.

It was believed that the Government itself should have a plant. We had had experience and knew what could be done in a Government plant. There was built and in operation the Capitol power plant, which had been built, although all of the

great engineers of the country had protested that it could not be built within the limit of cost; and this plant as originally conceived was designed to be a duplicate of that plant, with a connection between the two, so that one could be utilized in case the other broke down or got out of repair.

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

Mr. FITZGERALD. I yield to the gentleman.

Mr. KREIDER. I have had correspondence with some of my constituents in regard to this matter, and as a result of it I have taken up the matter with the Fine Arts Commission. I have been informed by that commission that they have never been consulted in regard to the location of this plant. The information which comes to me is that the location for this plant was selected by the Secretary of the Treasury, without consultation with the Fine Arts Commission.

Mr. FITZGERALD. There is no requirement of law that the Commission of Fine Arts shall be consulted as to where a building is to be located. Congress located this building itself, without consulting the Commission of Fine Arts; and that distinguished body, three years after the legislation was enacted, desired to have the whole matter suspended so that they might select the particular site that in their opinion would be more desirable. The Commission of Fine Arts interfered in the construction of the Bureau of Printing and Engraving—

Mr. KREIDER. I should like to ask the gentleman whether it is not true that there are to be two stacks erected, which are to be 180 or 190 feet high?

Mr. FITZGERALD. One hundred and eighty feet above the water.

Mr. KREIDER. And possibly two more. Now, laying all prejudice aside, does the gentleman say that it is a proper thing for a plant of this sort, with these stacks, to be erected so near the Washington Monument, so near to the new Potomac Park, and so near to the various public buildings; and does he state that it is in harmony with the general plan to beautify and improve the city of Washington to allow such a building to be located at this spot?

Mr. FITZGERALD. The plant is not to be so near to other buildings as the gentleman would have the House understand.

Mr. KREIDER. Is not this in a part of the city which has been devoted specially to the purpose of beautifying the National Capital, and is it not a fact that this plant is being built right in that particular spot?

Mr. FITZGERALD. I think the gentleman is mistaken. I suggest that he go down and look at the site himself. The disreputable water front there will be very much improved and enhanced in appearance by the construction of the power plant.

Mr. COOPER of Wisconsin. What was the exact date when Congress authorized the construction of this building?

Mr. FITZGERALD. The sundry civil act was approved June 23, 1913. The matter was under discussion for two years prior to the time when the sundry civil bill was reported, and there was never a suggestion from any of those distinguished gentlemen that there was any impropriety in erecting a power plant on that particular site.

Mr. CAMPBELL. Did the provisions of this bill locate this power plant at that point?

Mr. FITZGERALD. It did, and I will read it so that there shall not be any misunderstanding. The sundry civil appropriation act approved June 23, 1913, contained this provision:

CENTRAL HEATING AND POWER PLANT.

The Secretary of the Treasury is authorized and directed to have constructed, under the direction of the Supervising Architect of the Treasury, upon the land and wharf property of the United States hereinafter described, a central heating, lighting, and power plant, to furnish heat, light, and power for the buildings, old and new, of the Bureau of Engraving and Printing, the buildings of the Department of Agriculture, the Treasury Building, the White House and the buildings on the grounds thereof, the State, War, and Navy Building, the Winder Building, the Mills Building, the Court of Claims Building, the buildings, old and new, of the National Museum, the Smithsonian Institution Building, the Army Medical Museum Building, the Fish Commission Building, the Washington Monument, the District Building, the Post Office Department Building, and the buildings, when constructed on the site heretofore acquired, for each of the Departments of State, Justice, and Commerce and Labor.

The total limit of cost of such central heating, lighting, and power plant, including all necessary buildings, boilers, engines, generators, pumps, machinery appliances and equipment, tunnels, ducts, etc., is fixed at not to exceed the sum of \$1,494,104; and the Secretary of the Treasury is authorized to enter into contracts to the full limit of cost hereby fixed.

Authority is given for making a cross connection between the central heating, lighting, and power plant aforesaid and the Capitol power plant, so that either plant may supply to the other electric energy in case of a breakdown or other emergency, such connection to be equipped with the necessary meters so that reimbursement may be made for the amount of current actually supplied by either of said plants to the other.

The lease dated April 8, 1908, between the Commissioners of the District of Columbia and John Miller for wharf property in the District of Columbia, situated on the Potomac River and described as structures Nos. 24, 25, 26, and 27, section 3, as shown on the official map placed

in evidence by the United States in the case of the United States against Martin F. Morris and others (174 U. S., p. 196), for a period of five years ending March 15, 1913, and any interest thereunder, is terminated without compensation under the covenant contained in said lease that it may be terminated at any time without compensation by act of Congress, and the land and property covered by said lease, being land owned by the United States fronting on Water Street between Thirteenth and Thirteen-and-a-half Streets SW., together with land owned by the United States on the Potomac River, fronting on Water Street between Thirteen-and-a-half and Fourteenth Streets SW., are hereby designated as the site for said heating, lighting, and power plant: *Provided*, That the building or buildings of said central heating, lighting, and power plant shall be so located upon said site as to reserve a sufficient area for an asphalt plant for the District of Columbia in the event of such asphalt plant being hereafter authorized.

For the commencement of said plant the sum of \$150,000 is appropriated.

The Secretary of the Treasury is further authorized and empowered to employ, without reference to the civil-service laws and regulations, on a salary basis in the Office of the Supervising Architect such technical services as may be deemed necessary in connection with the plans, specifications, and construction of the power plant herein provided for, and to pay for such services at such price or rates of compensation as he may consider just and reasonable from the appropriation hereinbefore made: *Provided*, That not to exceed \$35,000 shall be available from said appropriation for such technical services: *And provided further*, That the foregoing authorization for securing the services of specially qualified persons shall be in addition to and independent of the authorizations and appropriations for personal services in the Office of the Supervising Architect otherwise made.

That was the law enacted in 1913. If any gentleman ever saw an asphalt plant, he would appreciate what a thing of beauty a power plant is compared to it. Yet those distinguished gentlemen whose representatives are located in Washington never made the slightest suggestion of the impropriety of this plant until a series of events had disclosed that the local lighting company had been defeated in its attempt to prevent the construction of this plant. It may have been a mere coincidence. Many peculiar coincidences occur, but that does not add anything to the force of the objections which are made at this time.

Mr. JOHNSON of Kentucky. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. JOHNSON of Kentucky. Is this the only available place on the water front where the plant would have both railroad and water facilities for bringing what they need and cheap facilities for carrying away the waste?

Mr. FITZGERALD. It is, and there were chiefly two reasons that Congress had in selecting the site: One was the elimination of much of the nuisance that would be occasioned by hauling coal and ashes, and the other, according to the testimony of men competent to judge, that this is the ideal location for an auxiliary steam plant in the event that Congress should determine to develop the Great Falls water power to furnish heat and light and power for the city of Washington. These two factors, in addition to the other consideration, that this was the only site owned by the Government and would not have to be acquired at an exorbitant price, were controlling considerations in the selection of the site.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9416) making appropriations to supply further urgent deficiencies for the fiscal year ending June 30, 1916, and prior years, and for other purposes, and had insisted upon its amendments numbered 1, 2, 5, 11, and 14, upon which the committee of conference was unable to agree, asked a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. MARTIN of Virginia, Mr. BRYAN, and Mr. WARREN as the conferees on the part of the Senate.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. CAMPBELL. Will the gentleman yield to me?

Mr. FITZGERALD. I will yield to the gentleman from Kansas two minutes.

Mr. CAMPBELL. Mr. Speaker, I happen to know just where this plant is to be located, and I have some idea as to the effect it would have on the beauty of Washington. Just now there are elevated tracks there for the purpose of bringing in coal, and there are coal chutes right up to Fourteenth Street where coal is dumped from the cars into the coal bins. There is an unsightly lot of low buildings, yards, etc., in the immediate vicinity. I am of the opinion that if a building of the cost of this be located there, that it will add very materially to the beauty of that section of Washington. It would be difficult, indeed, to do anything that would add to the unattractive landscape that is there now.

Mr. FESS. Will the gentleman yield?

Mr. CAMPBELL. Certainly.

Mr. FESS. About how far is it from the present Bureau of Engraving and Printing?

Mr. CAMPBELL. Diagonally across the street; I should say 300 or 400 feet.

Mr. FESS. How far is it from the Agricultural Building?

Mr. CAMPBELL. About four blocks.

Mr. FESS. And from the Washington Monument it is quite a distance.

Mr. CAMPBELL. It is a long distance. I pass this point frequently. Nothing, in my judgment, around there could be hurt by the erection of this building. It is right on the water front. The railroad is only far enough from the water front to have coal bins, and some buildings, I think, now are used for a fish market. It is a very unsightly place at present.

Mr. FESS. Does the gentleman think it would be a distinctive advantage to the beauty of the city to locate this plant there?

Mr. CAMPBELL. I think it would be a distinctive advantage to that particular vicinity.

Mr. FITZGERALD. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore [Mr. Houston]. Twenty-five minutes.

Mr. COOPER of Wisconsin. Will the gentleman yield to me?

Mr. FITZGERALD. I will yield to the gentleman from Wisconsin five minutes.

Mr. COOPER of Wisconsin. Mr. Speaker, I wish at the outset, in reply to the gentleman from New York, to say that nobody connected with any heating or lighting plant, or with any other kind of plant, in this city has directly or indirectly in any manner communicated with me on this subject. The persons who brought it to my attention were Col. Harts, the very efficient Superintendent of Public Buildings and Grounds, and Mr. Cass Gilbert, of New York, a member of the Commission of Fine Arts. I had no previous personal acquaintance with Mr. Gilbert, although I knew him by reputation as one of the most distinguished of American architects.

The gentleman from New York spoke of the two smokestacks of the local plant that stand south of the Avenue on Fourteenth Street. But, Mr. Speaker, I have more than once called attention to those two black, disfiguring stacks. But what the gentleman from New York said about them was well calculated to convey the impression that the company owning the local plant is responsible for the criticism of the proposed Government plant. Not at all. The gentleman is mistaken. The trouble began when the commission discovered that in this very important matter, one of the very kind it was created to consider, it had been ignored absolutely. Its members had a right to be rather surprised if not indignant that they should have been disregarded in a matter so important to Washington. They give their time and counsel to the Government for nothing.

Now the gentleman from New York [Mr. FITZGERALD], in reply to my question, said that Congress adopted this location in 1913. What was the exact date?

Mr. FITZGERALD. The law was approved June 23, 1913.

Mr. COOPER of Wisconsin. I call the especial attention of the House to that fact. This was located by Congress in June, 1913. At that time, and for some time later, the mandatory order of President Taft was in force:

Plans for no public buildings to be erected in the District of Columbia for the General Government shall be hereafter finally approved by the officer duly authorized until after such officer shall have submitted the plans to the Commission of Fine Arts, created under the act of Congress of May 17, 1910, for its comment and advice.

Mr. FITZGERALD. Will the gentleman yield?

Mr. COOPER of Wisconsin. Certainly.

Mr. FITZGERALD. The gentleman from Wisconsin does not think that an Executive order of President Taft would in any way prevent Congress from determining where a particular public building should be erected in this city?

Mr. COOPER of Wisconsin. Not at all; but the commission thought, and had a right to think, that under that order of the President they would, of course, be consulted before the letting of a contract to build a great plant, with 190-foot smokestacks, within 300 or 400 feet of the Bureau of Engraving and Printing. But it appears that after the location had been fixed President Wilson issued a new order, which reads as follows:

It is hereby ordered that whenever new structures are to be erected in the District of Columbia under the direction of the Federal Government which affect in any important way the appearance of the city, or whenever questions involving matters of art with which the Federal Government is concerned are to be determined, final action shall not be taken until such plans and questions have been submitted to the Commission of Fine Arts designated under the act of Congress of May 17, 1910, for comment and advice.

This order leaves it to the Treasury officials to say that any proposed Government building will not "affect in any important way the appearance of the city," and then to proceed to

draw plans, let contracts, and ignore the Fine Arts Commission. The Treasury officials have only to say that any Government building for which they draw plans, no matter how large it is to be nor where to be located, will not "affect in any important way the appearance of the city."

At the time when that site was selected the order of President Taft was in force and required that plans for the building must be submitted to the commission before they could be finally approved. But after this site had been selected President Wilson issued an order which, in so far as plans were concerned, as I have said, practically opened a way for Treasury officials to ignore the commission. Secretary McAdoo says that it is all right where it is to be located. The Commission of Fine Arts, much more competent than he to judge, say that it will be a blot upon the landscape.

Mr. Speaker, I wish in this connection to call the attention of the House to what Col. Harts said:

It is understood that prevailing winds in Washington are from the south and the southeast. This being so, smoke or gases arising from the plant would be distributed over the areas upon which are located the Bureau of Engraving and Printing, the Smithsonian Institution, the new National Museum, the buildings of the Department of Agriculture, the White House propagating gardens and conservatories, and the tree growths of the Mall, and other valuable properties upon which the Government has expended great care and vast sums of money.

The commission strongly disapprove of the plans for this structure as submitted, and view with grave anxiety the location of any such plant on this site.

It is to be not only a heating plant, but subsequently an asphalt plant is to be added.

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 2. An act for the coinage of a McKinley souvenir gold dollar in commemoration of the erection of a memorial to William McKinley, late President of the United States; and

H. R. 73. An act to amend chapter 231, known as the Judicial Code, act of March 3, 1911, volume 36, United States Statutes at Large, section 81, page 1111.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, I have at all times tried to aid in preserving the Commission of Fine Arts. I believe they have done very valuable work, and I think they have a usefulness for the future; but I am not so wedded to them as to be blind to actualities, particularly as they apply to this case. What was done touching the location of this plant was done in the open. Anyone who paid the slightest attention to the action of Congress touching these matters was aware of what had been done. The Fine Arts Commission could have known, and should have known, what was done. The protest that has been made has been made at an absurdly late day. The gentleman from Wisconsin [Mr. COOPER] talks about an order of President Taft touching the plan of buildings that are to be erected in the District of Columbia. The complaint of the Fine Arts Commission is as to the site. The fact remains that any site that is chosen for the building of a power plant in Washington can have urged against it various objections. It is impossible to place a power plant, with the smokestacks that are essential under present development to such a plant without creating a building that will not fully meet the esthetic ideas of people and which will be in some respects objectionable; but the practical questions are whether it is now possible to stop the work, and whether the harm, assuming there is a harm, to the beauty of Washington is such as to warrant us in stopping a work which has reached the point this has.

I believe that it will not be an attractive building, not from the White House, not from the Washington Monument, not the Lincoln Memorial, because from those angles of view the building will not be in any true sense objectionable; but when you go down on Potomac Drive there will be certain places where, viewing it, you will see a power plant instead of seeing some architecturally beautiful building. But you must take the practical with the esthetic. You can not have a dream city in a place where men live and work and have their being, and here you have a location that is peculiarly desirable from the standpoint of economic administration of a plant. Why? Because you have two factors. You have rail and water communication in a way that could not be made available in any other place in the city. Of course there is something to be said against the beauty of it, but that could be said no matter where the plant was placed, and you are

facial with the proposition of whether you are willing to carry your view of the beautifying of Washington to such an impracticable extent as to deny the having of a plant here at all. I insist that there is nothing in this location that makes it peculiarly offensive. It does not interfere with the proper development of the Mall. If you will go down along the Potomac Driveway, which has just been made on the reclaimed land, and look across, you will see a certain part of Washington that is given up to commercial pursuits. It is the water front, where the boats, both passenger and freight, land; it is where the coal yards are; it is where certain business of a city like this has to be conducted; and unless you simply denied to the city its normal, usual activities, you could not get rid of a great many eyesores along that particular water front. This building is being put at a place where it does not accentuate in any way the ugliness that exists by virtue of the kind of business that is carried on along that water front. Many men have protested without the slightest knowledge, and I join in the statement made by the chairman of the Committee on Appropriations, the gentleman from New York [Mr. FITZGERALD], that it amounts to the last degree of impudence for men who do not know anything about the physical condition of Washington to not only come here and undertake to berate Members of Congress for doing what they consider to be their duty, but undertake to build a back fire over the country. We find chambers of commerce over the country adopting resolutions of indignation and of protest against our action, and the very men who voted for those resolutions could not have told you to save their lives any of the basic facts connected with the beautification of Washington. They could not have told you the real points of the compass as they bear relation to the Washington Monument, the Capitol, and these other buildings.

I insist that Congress is entitled to fair treatment by these people. We are not sitting here devising ways and means to destroy the beauty of this city. Some of us who have worked, not spasmodically but year in and year out, for the development and beautification of Washington may surely claim to have some little knowledge of actual conditions. I am glad to receive the advice of distinguished men—distinguished in architecture, in landscape planning, and in all of the matters that go to make a city more beautiful—but I deeply resent men relying upon the influence of their names to carry their viewpoint when their viewpoint is not based upon knowledge. All over this country have been resolutions and agitations about this matter by men who do not know the facts, and it would have better become them if they had come here and investigated and then told us something at the time when their knowledge might have been availed of than to come here in the ninth hour without information and undertake to stampede Congress. I am not imputing their motives, and I am not going to suggest that there is any relationship between the local lighting company and this agitation. I have reached the point in life where I am tired of bothering about the motives of men; but I say to you the Fine Arts Commission has utterly failed to arrive at the information which they could by ordinary diligence have arrived at at the time when their protests would have been of value.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. COOPER of Wisconsin. Why, at the time this plan was adopted the commission had the right to believe, under the order of President Taft, that no building would be erected or plans adopted without being submitted to them before construction began.

Mr. SHERLEY. I understand; but that would have had nothing on earth to do with the site. The Executive order of President Taft does not relate to sites, but deals with plans of buildings.

We have a right to expect the commission to have ordinary common sense as well as simply knowledge of its supposed rights. I say to you that a commission dealing with the beautification of Washington, meeting here several times a year, that lets two years go by touching a matter of this magnitude and importance is without excuse for saying they did not know until this late day what was being done. They ought to have known it, and I say that as a friend of the commission and not as their enemy.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. SHERLEY. Yes.

Mr. COOPER of Wisconsin. It might have been impertinent if the commission should have volunteered a suggestion. It was their duty to wait until the plans were submitted to them.

Mr. SHERLEY. If it was simply an impertinence two years ago, when something might have been done, it is worse than impertinence now, when nothing can be done. [Applause.]

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman permit another interruption?

Mr. SHERLEY. Yes.

Mr. COOPER of Wisconsin. They could not with propriety make a suggestion until under that order plans were submitted to them, and the only thing they could do was to wait until that was done.

Mr. SHERLEY. That does not accord with what seems to me to be common sense. Here is a commission complaining now and saying they would have complained sooner if they had known what was being done, while the gentleman from Wisconsin says they could not have complained sooner even if they had known, because they would have to wait and see if plans would be submitted.

I point again to the fact that the quarrel is not about plans, but it is about the site. The submission of plans after the site was determined would not have changed the matter. Now, we are faced with this question: Shall we stop contracts, incur the liability that may come from the breaking of those contracts, postpone the doing of work that Congress after an elaborate study has believed ought to be done in the interest of economy—shall we do that upon the criticism of people who come with no alternative proposition, and who say, after two years delay, that they would like additional time to look into the matter? I submit we are not warranted in so doing. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 8810. An act to amend an act relating to the Public Utilities Commission of the District of Columbia, approved March 4, 1913.

The message also announced that the President had approved and signed joint resolution and bill of the following titles:

S. J. Res. 76. Joint resolution authorizing the Secretary of War to loan 1,000 tents and 1,000 cots for the use of the encampment of the United Confederate Veterans to be held at Birmingham, Ala., in May, 1916; and

S. 900. An act amending sections 476, 477, and 440 of the Revised Statutes of the United States.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, how much time have I remaining?

The SPEAKER. Ten minutes.

Mr. FITZGERALD. I yield five minutes to the gentleman from Illinois [Mr. MANN]. Mr. Speaker, I would like to make this suggestion, that the executive officer of the Fine Arts Commission is the Superintendent of Public Buildings and Grounds, the Army officer in charge of Potomac Park.

Mr. MANN. Mr. Speaker, I have been down where this site mentioned is located a great many times, both walking and riding. We used to ride down from the Capitol on the way to Potomac Park, going along the road that runs by the railroad bridge. A great many times since the new drive on the north side of the peninsula has been opened I have ridden down there at least every other day since the middle of last November. All along Washington Channel, on this side of it, are boat landings, wharves, and various enterprises, none of which conduces to the beauty of the landscape, and while it might be desirable, if possible, to locate the power site where no one could see it, and it might be desirable to have Potomac Park separated so that you could see nothing in the way of business outside of it, yet that is practically impossible. I venture to say that if the Fine Arts Commission had been asked to select a site for this power plant in advance they would have selected the identical place which Congress did select. [Applause.]

Now they suggest that the power plant ought to be down here close to the Capitol, where the present Capitol power plant is; but if we had proposed in the first place to locate it there the Fine Arts Commission would have said it would destroy the beauty of the landscape near the Capitol Building, because that is a great deal closer to the Capitol Building than this power site down beyond is to the White House. I have a great deal of respect for the Fine Arts Commission, and yet I recall that it was that commission, or its predecessor, which imposed upon us the location of the Grant Monument, and no worse location could have been found in the District of Columbia. [Applause.] I remember that it was the Fine Arts Commission, or its predecessor, which located the beautiful Agricultural Building one story below the level of the ground [applause], so that employees there have to work practically without air in the hot climate of Washington. I prefer to believe that the men in Congress, who remain here year after year and study the needs

of Washington, both as to beauty and utility, are better qualified to judge where a plant like this should be located than some one who only occasionally visits Washington, or even Mr. Glenn Brown, in Washington, who dominates the architects who live here. It was not for the Fine Arts Commission to determine the site. Congress owning, as the Government did, this site, proposed to locate this power plant there because that was the appropriate place from the standpoint of beauty, utility, and economy for the Government to put it there. I do not object to these gentlemen on the outside bombarding us with telegrams and letters, which serve the purpose of calling our attention to the proposition.

They do not expect us to seriously consider telegrams which they send us about things which they know nothing about and concerning which they assume we ought to know something. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I ask for a vote on the adoption of the conference report.

The question was taken, and the conference report was agreed to.

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement to the remaining Senate amendment. If there is any amendment that any gentleman wishes to take a separate vote on, I suggest we eliminate the rest of the amendments by agreeing to them.

Mr. CANNON. Mr. Speaker, I move that the House recede from its disagreement to the first amendment and concur in the same.

Mr. FITZGERALD. Mr. Speaker, I ask that the House further insist on its disagreement to the amendments of the Senate Nos. 2, 5, 11, and 13.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] moves that the House further insist on its disagreement to Senate amendments Nos. 2, 5, 11, and 13.

The motion was agreed to.

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 1.

Mr. CANNON. Mr. Speaker, I offer a preferential motion that the House recede from its disagreement on Senate amendment No. 1 and concur in the same.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] moves that the House further insist on its disagreement with Senate amendment No. 1, and the gentleman from Illinois [Mr. CANNON] makes a preferential motion that the House recede from its disagreement to Senate amendment No. 1 and concur in the same.

Mr. FITZGERALD. How much time does the gentleman from Illinois wish?

Mr. CANNON. It is pretty difficult to tell. Quite a number of gentlemen have spoken to me about it. I certainly desire an hour, and perhaps more. I think we had best run a little while first and try out the hour.

Mr. FITZGERALD. I think we had better have an agreement as to the time. I do not know that any gentleman—

Mr. CANNON. What does the gentleman suggest?

Mr. FITZGERALD. I suppose half an hour on a side would be sufficient.

Mr. CANNON. Well, I think an hour and a half on this side ought to be allowed. I make the suggestion as a counter one.

Mr. FITZGERALD. I do not think we will be able to use it.

Mr. CANNON. Then we will vote.

Mr. FITZGERALD. Make it an hour on a side.

Mr. CANNON. From the number of gentlemen who have spoken to me, I think I shall be glad to use an hour and a half.

Mr. FITZGERALD. It might take half an hour to discuss the merits of this proposition. Can not the gentlemen print their other patriotic remarks in the RECORD?

Mr. MANN. The merits of this proposition involve patriotism.

Mr. CANNON. After all, I have some demands for time. If the gentleman thinks that he does not desire an hour and a half, I propose an hour upon his side and an hour and a half upon this.

Mr. FITZGERALD. Make it an hour and a quarter.

Mr. CANNON. An hour and a quarter upon a side?

Mr. FITZGERALD. Yes. Mr. Speaker, I ask unanimous consent that the debate on the pending Senate amendment and on the various motions be limited to two hours and a half—one-half of the time to be controlled by the gentleman from Illinois [Mr. CANNON] and one-half by myself—and that at the conclusion of the debate the previous question shall be considered as ordered.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that the debate on amendment No. 1 be limited to two hours and a half—half of the time to be

controlled by himself and half by the gentleman from Illinois [Mr. CANNON]—and that at the end of the two hours and a half the previous question shall be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

The gentleman from New York [Mr. FITZGERALD] is recognized for one hour and a quarter and the gentleman from Illinois [Mr. CANNON] for one hour and a quarter.

Mr. FITZGERALD. I suggest that the gentleman from Illinois [Mr. CANNON] use some of his time.

The SPEAKER. If nobody wants to speak, the Chair will put the question.

Mr. FITZGERALD. Mr. Speaker, I suppose if there is any merit in the preferential motion of the gentleman from Illinois he will be able to state what it is. I do not know it myself. I do not like to debate something until I know what I am to discuss.

Mr. CANNON. I fear it will be exceedingly difficult for myself and perhaps others to inform the gentleman from New York [Mr. FITZGERALD], who seems to know and does know a great deal about a great many things—

Mr. FITZGERALD. I am willing to explain what this desecration proposes.

Mr. CANNON. Mr. Speaker, the Lincoln Memorial was authorized with a limit of cost of \$2,000,000. There was a commission appointed. Upon that commission as its chairman was the then President, Mr. Taft—and he is still its chairman; the present Speaker of the House; Gov. McCall, then a Member of the House; the Senator from Rhode Island, Mr. Wetmore; Senator Cullom; Senator Money; and myself. We proceeded after a pretty thorough consultation with the Fine Arts Commission, headed at that time by Mr. Burnham, since deceased, who was the architect for the present terminal railway building in this city, and I think stands among American architects, or did stand during his lifetime, with St. Gaudens as a sculptor, and I do not speak less for other architects or less for other sculptors when I mention Burnham upon the one hand and St. Gaudens upon the other. Much attention was given, first, to the site, but I will not go into that very fully. The site was selected. We were not a unit on that question. The Speaker of the House, as I recollect, preferred one site and I preferred another. We were a minority, in disagreeing upon the Potomac Park site, of two. I desired the Soldiers' Home site, on an axis with the Capitol at North Capitol Street.

We "tenderfeet" do not always get what we think we desire and perhaps ought not to have our way in matters of art, and as it is not very material in the consideration of this question I will not take much time to say it; but let me say that, looking through the hindsight, I am inclined to think the Art Commission and the majority of the Memorial Commission located this memorial where it ought to be located [applause], although I was somewhat worked up at the time. There it is, just across from Arlington, on the Potomac River; a beautiful park, the Potomac Park, as it is, and as it is to be. I will not take time to describe what it is to be when in the fullness of time it is finished, but I am very glad that there has been a design for that park and for its extension. I am very glad that the park was rendered possible by producing the elevation you have there, the plaza, by hydraulic process from the river, because the tide ebbed and flowed over that park for many years after I came to Washington.

After much of investigation, on the recommendation of the Arts Commission, urgently voiced by Mr. Burnham, who was then its chairman, we selected the architect, Mr. Bacon. Upon that Arts Commission was Daniel C. French, an eminent sculptor. After full investigation, we let the contract. Mind you, the limit of cost was \$2,000,000. After full advertisement there were various bids received, all of them, I believe, within the limit of cost, as I recollect it, except two. The dispute was about the material. One bid, for the use of Colorado Yule marble, was for \$2,147,000, in round figures. The same contractor made a bid for the use of Georgia Amacolola marble at \$2,046,000, in round figures. The Amacolola marble bid was lower by \$111,000. The other bids, as I recollect them, were all within the limit of cost. I soon discovered that the Fine Arts Commission, the architect, the Superintendent of Public Buildings and Grounds, and the Memorial Commission, substantially, with the exception of myself, desired to use the Colorado Yule marble. I may state that the man who bid on the Colorado Yule also bid on the Georgia Amacolola marble, and perhaps on another, which was believed to be an inferior marble, and which I think brought it within the limit of cost.

Well, I guess I had some of the notions a man is apt to have who has served as long as I did as a member and as chairman of the Committee on Appropriations, that the garment ought to be cut according to the cloth, so for one I objected. However,

there was power vested in the commission to make minor changes in these bids, and the commission proceeded to make what they called minor changes, and they turned out to be in reality minor changes, because after contest they were held to be minor changes, as I recollect, first by the Executive, and since that time payments have been made settling the accounts of the contractors by the officers of the Treasury.

The minor changes which the commission proceeded to make were as follows:

1. Substitution of cement for bronze ceiling beams in the building. By making that change or modification the cost was reduced \$70,000.
2. Elimination of retaining walls. By omitting retaining walls the reduction of cost was \$87,000. I give it in round figures.
3. By a modification in the joining of columns, reducing the height of the drums, there was a saving made of \$10,000.
4. By reducing the floor slabs from 6 to 2 inches in thickness, a saving was made of \$6,000. There was a reduction also in the bronze screens.

The total reduction was \$192,000. The total cost of the memorial under existing contracts was \$1,975,000, and the contract was let.

I believed then, and, while I am not a prophet nor the son of a prophet, and while I might not be standing here advocating this appropriation, I believe now that somebody would stand here and advocate this appropriation, although, as an individual, I would prefer a different course. But all the experts and architects and members of the Arts Commission and substantially all the Memorial Commission except myself and, I believe, the Speaker, although I am not sure as to that, believed that this Colorado Yule marble is the best marble on earth. I have no doubt of it from all the evidence we got. Still I thought perhaps the Georgia marble would be good enough. That is marble that comes from the quarries from which the marble came for the statue of Columbus, which rests in front of the Union Station Building.

Now, this contract did not include the steps.

Mr. MADDEN. Leading from the terrace?

Mr. CANNON. Yes. Let me state that the building under the contract can be, and will be, completed within the limit of the contract, even if this appropriation is withheld. The amount asked for the completion as originally let, and the approaches that were not let and which were not a part of the memorial, and the larger part of the steps, is to bring the cost, if this appropriation and authorization are made, from \$2,000,000 to \$2,594,000.

Mr. SLAYDEN. Mr. Speaker, will the gentleman permit me to ask him a question in that connection?

Mr. CANNON. Yes.

Mr. SLAYDEN. Do you believe that even if this appropriation is made the work is now advanced so far and all conditions are so well known that it can be stated with some degree of certainty that it will be completed, then, for \$2,594,000?

Mr. CANNON. I have no doubt it will be. I have the estimates here in detail.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman permit one question?

Mr. CANNON. Yes.

Mr. COOPER of Wisconsin. Does not the gentleman think that these steps, which he has shown there in the picture, would serve a very useful purpose if completed in accordance with the desire of the commission?

Mr. CANNON. I have no doubt. Absolutely, from every art standpoint, for harmony with the surroundings, and from every other standpoint—I was going to say patriotic as well as the art standpoint—the appropriation should be made.

Mr. MANN. Will the gentleman yield for a question, to see whether my understanding is correct?

Mr. CANNON. Yes.

Mr. MANN. These steps that are now referred to and provided for were not considered as included in the original estimate of \$2,000,000, were they?

Mr. CANNON. They were not. I was going to state that.

Mr. MANN. As I understand it, those steps are absolutely essential to get up to the Lincoln Monument at all?

Mr. CANNON. Oh, yes.

Mr. FITZGERALD. Were they not a part of the original design?

Mr. CANNON. They were not.

Mr. FITZGERALD. I have on my desk a photograph furnished to me long before the design was actually agreed upon by the committee. It was furnished to me by Mr. Henry Bacon, the architect. The gentleman does not mean that this was considered a complete design, 40 feet up in the air?

Mr. CANNON. I mean to say that, right or wrong, the contract was let for the building, and, as I will show presently, it did not include these steps, 400 feet over all, and then the next tier of steps, 300 feet over all, perhaps.

Mr. FITZGERALD. That is, the contracts as let did not include them, but they were a part of the design submitted by Mr. Bacon as a part of this memorial.

Mr. CANNON. The gentleman looked at the picture, did he not, to see how it would look when completed?

Mr. FITZGERALD. Yes; and I talked with Mr. Bacon.

Mr. CANNON. Well, but Mr. Bacon did not let the contract.

Mr. FITZGERALD. I know he did not.

Mr. CANNON. Mr. Bacon made the design. Nor did the contract include the trees that were to be planted about the memorial, nor the grass, nor the landscaping, which will, no doubt, cost a very considerable sum of money. In fact, no doubt something has been expended already in the landscaping and in the improvement of Potomac Park, not under these appropriations, nor under the jurisdiction of the commission, for that matter.

I have already given you the modifications that were made. Nor did the contract include the electric wiring; nor the decorative painting on the walls and ceiling, \$50,000; nor the masonry approaches, \$237,000.

Mr. GILLETT. Will the gentleman allow me?

Mr. CANNON. Yes.

Mr. GILLETT. Does not the gentleman think electric wiring and decorating of the walls really ought to be part of the cost?

Mr. CANNON. Whether they ought to be or not, I will be entirely frank, as a tenderfoot, and say that I did not know whether it included electric wiring or not; but it did not include electric wiring, as I am reliably informed, nor did it include the decorations on the walls. It did include the bronze beams. It did not include the bronze screens that are to inclose the hall. It did, as I recollect, provide for the pillars inside and outside, and the superstructure.

Now, the amount that was deducted to secure the marble was \$172,500; but since that time the price of labor has largely increased. The price of the bronze has increased, the price of the granite to face the terrace walls has increased, so that where there was a reduction of \$172,000, which was taken from the bids, it will cost \$263,000 to replace that which was reduced.

The balance of the \$594,000 is for the granite walls.

In addition to the general decoration, the walls and ceilings will include two large paintings 12 feet high and 60 feet long over a large tablet bearing Lincoln's second inaugural and the Gettysburg address, illustrating in allegory those subjects. The masonry approaches were not included in the original design; however, they are a necessary means of access to the memorial from the park level and designed to be in harmony with the building as well as the park surrounding it. They approach the building from the Washington Monument side and will be constructed of granite, and are in two parts. The first section is 400 feet wide over all by 177 feet in length; it contains 30 steps rising 16 feet.

Gentlemen will notice that here are the steps that lead up to it. Here is to be a granite wall all around the building, and you journey down toward the level on these steps spoken of here.

There is to be a driveway around the memorial 100 feet wide.

The earth mound surrounding the memorial will be 1,000 feet in diameter. Its first terrace will be raised 11 feet above the park level and planted with trees at the outer edge, leaving a center plateau 755 feet in diameter, which is greater than the length of the Capitol. In the center of this plateau will rise a rectangular stone terrace wall 15 feet high, 280 feet long, and 156 feet wide. On this rectangular terrace rises the memorial. The entire height of the memorial will be 125 feet.

Bronze beams above the halls in which rests the statue are to be cement unless this appropriation is made. The screens which are to close in the hall in inclement weather when necessary are to be bronze if this appropriation is made. If the appropriation and authorization is made you can get to this monument, and if it is not made I suppose you would have to go up in an aeroplane.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. MILLER of Minnesota. The height to which the memorial is now erected is in accordance with the original plan?

Mr. CANNON. Yes.

Mr. MILLER of Minnesota. The additional steps have not been made necessary by increasing the elevation?

Mr. CANNON. Not at all; from the plaza to the top of the memorial complete is 125 feet. I wonder how many gentlemen have been down and looked at it as the work progresses.

Mr. MILLER of Minnesota. The reason I asked the question is because I have looked at it, and it looks very high. It may not look so high when the mound is completed.

Mr. CANNON. Precisely. I think when the work is completed the gentlemen from Minnesota will be entirely satisfied with it. Of course the Washington Monument is much higher. I doubted, as a tenderfoot, whether this memorial would not be dwarfed by the Washington Monument, but I have become satisfied, since I have seen the work progress, that it will not be dwarfed by the Monument. While I have not seen many of the wonderful buildings of the world, I am inclined to think that this memorial when completed will be the greatest memorial building in the world. [Applause.] If it will not be it ought to be.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. COOPER of Wisconsin. Does not the gentleman think from long experience on this commission that we ought to substitute bronze for cement in these beams?

Mr. CANNON. I have no doubt about it, and we ought to have the bronze screens.

Mr. MADDEN. Will the gentleman yield?

Mr. CANNON. Certainly.

Mr. MADDEN. The gentleman understands that the beams can be made with cement and covered with bronze?

Mr. CANNON. Precisely.

Mr. MADDEN. And that they will be just as good in a utilitarian sense as if they were solid bronze, and will last as long?

Mr. CANNON. Well, the gentleman says "last as long"; I do not know how that may be, but I believe that my friend and myself in the distant ages when this great memorial is standing, we will be wearing asbestos or muslin halos. [Laughter.]

Mr. GILLETT. Will the gentleman yield?

Mr. CANNON. I will.

Mr. GILLETT. Was this design selected by competition, or was the architect selected?

Mr. CANNON. The architect was selected.

Mr. GILLETT. There was no competition?

Mr. CANNON. No competition as to the architect; he was selected by unanimous consent on the recommendation of the Arts Commission, and especially of Mr. Burnham. If I were erecting the building myself and building a building of this kind, I would have the matters that were cut out to enable the commission to get the Colorado Yule marble, in harmony with the original design. In other words, it ought to correspond.

Mr. Speaker, I reserve the balance of my time.

Mr. PAGE of North Carolina. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. CLARK].

The SPEAKER pro tempore (Mr. BYRNS of Tennessee). The gentleman from Illinois has used 36 minutes.

Mr. CLARK of Missouri. Mr. Speaker, my excuse for participating in this debate is that I am one of the commissioners appointed to build this Lincoln Memorial. It is with extreme regret that I differ with the very able chairman of the Committee on Appropriations, Mr. FITZGERALD, and as a usual thing I am with him. We all wish that this splendid memorial could have been completed within the appropriation, but it can not be finished properly within that limit.

I have always been very liberal in the selection of objects and men for admiration on my part. There are four Presidents who, in my judgment, for all time to come will stand in a company by themselves—George Washington, Thomas Jefferson, Andrew Jackson, and Abraham Lincoln. In his preface to his wonderful life of Charles the Twelfth of Sweden, Voltaire speaks of certain men "rising above the vulgar level of the great." That is one of the most suggestive phrases that was ever coined in the teeming brain of its wonderful author. He speaks of kings, emperors, princes, potentates, generals, whom their contemporaries deemed great, but who, tried by the severe test of time, fade away and sink into nothing. But these four Presidents, two of them Democrats and two of them not Democrats, have left their impress upon this Nation and upon the world as no other American statesmen have done. Most assuredly these four "rise above the vulgar level of the great." Washington has a very unique monument, which challenges the admiration and attention of every person who visits this wonderful city. We have undertaken to build Abraham Lincoln one that will do the same for the visitors to this city. If I had my way about it, I would have one built in this city to Jefferson and one to Andrew Jackson. Every once in a while the Fine Arts Commission takes a notion to remove Jackson's Statue from the center of Lafayette Park, but they will not do it as

long as I am a Member of the House of Representatives. [Applause.]

I am proud of the fact that Abraham Lincoln was born in Kentucky. He is a Kentuckian, he is an American; but what is a great deal more than that, he is a world figure and belongs to the ages. Instead of his fame diminishing as the years steal into centuries, it constantly increases, and he ought to have a monument, if he is going to have one at all, in every way worthy of him. Having started in upon it, I am in favor of making it the most beautiful monument in the world. Of course, it is going to cost some money, but to spoil that magnificent structure by substituting cement for bronze is absolutely preposterous. [Applause.] There can not be two notions about that. I would not have had it located where it is if I could have had my way, and neither would Mr. Speaker CANNON. He wanted it put out at the Soldiers' Home and I wanted it put on Meridian Hill. I wanted it set on a hill where it might be seen of all men, and I think yet that it should have been so located. But we were overruled, and it is located where it is. We are not honoring Abraham Lincoln by building a monument to perpetuate his fame; we are honoring ourselves, and we are reflecting the sentiment of the whole American people.

When Abraham Lincoln died he was intensely popular in the North, and, though some people may not know it, as the years go by he becomes more and more popular in the South as well as in the North. The southern people came to the conclusion long ago that if he had lived they never would have experienced one-half of the calamities that grew out of the Civil War, and I believe that also. He was one of the greatest Americans. He is one of the greatest men who ever lived in the history of the human race, and he, more perhaps than any other President, typifies the average American citizen in his life and character. [Applause.] These things being true, Mr. Speaker, I am in favor of voting this money to complete that monument in the way in which it ought to be completed. [Applause.]

Mr. CANNON. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. RAINEY].

Mr. RAINEY. Mr. Speaker, we are discussing this afternoon, not for the first time, the Lincoln Memorial. For a decade, yes, for a longer period than that here in the National Capital, and throughout the Union, in the North and in the South, loyal citizens have been discussing the construction here in the Capital of this great Nation of a suitable monument to the memory of Abraham Lincoln. Ten years ago this very site was suggested. Four years ago this commission was named, and one of the interesting things connected with this discussion here to-day is that the only Member of the House of Representatives whose public career extends back to the old Lincoln days, who knew Lincoln personally and well, Mr. CANNON, of Illinois, is here, in the full strength of his manly vigor, to advocate a suitable memorial to the memory of his friend; and may he be spared to the State he represents and to the Nation he serves so well in full health and vigor for many years to come. [Applause.]

This memorial was not hurriedly decided upon by this commission. The men appointed by the original act creating the commission were William H. Taft; Shelby M. Cullom, of Illinois, now gone to his reward, contemporaneous with Lincoln, speaker of the Illinois House of Representatives when Lincoln was President of the United States; George Peabody Wetmore; Samuel Walker McCall; Hernando D. Money; and the distinguished Missourian who is now the Speaker of the House of Representatives. After the death of Senator Cullom, of Illinois, a distinguished southerner was appointed in his place, Gen. Joseph C. S. Blackburn, of Kentucky. Every member of this great commission agrees to these recommendations—they are unanimous—and that of itself ought to be a potent argument here and in States we represent.

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

Mr. RAINEY. Yes.

Mr. GORDON. That is very interesting history the gentleman has given, but how has it any bearing on the question of these extras?

Mr. RAINEY. I will come to that presently. A number of plans were suggested, each one of them having reference to the particular locality then under consideration.

A great architect furnished plans for the erection of a memorial on the Soldiers' Home grounds; another on Meridian Hill, overlooking the Capital City. Another prepared plans for the erection of the memorial where it is now being constructed; and to a great American architect, Henry Bacon, was finally awarded the contract for preparing the plans under which the memorial is now being constructed. This building is located where I think it ought to be located, with the Capitol at one

end of a long axis extending west for perhaps 2 miles, extending through the Grant Memorial, and then farther on through the Washington Monument, and then, just under the shadow of the hill upon which is erected the mansion in which Robert E. Lee lived prior to the Civil War, the site has been selected, a position dominating a wide area of undeveloped land. If this memorial is properly constructed, with proper terraces, with proper approaches, it will never be dominated by any other building in that section of the city. The memorial itself is to stand upon an elevation artificially created, the same kind of an elevation as was artificially created for the Washington Monument, arising just as high above the valley. The elevation above the level of the valley there is to be 45 feet. First, a great terrace a thousand feet long, upon which is to be planted four rows of trees; then, rising above that, another eminence 16 feet high, supported by a terrace wall, and on that second eminence this magnificent memorial is being constructed. The Egyptians spent no man knows how many years of time in erecting memorials to their kings, and their kings were buried in the center of those great pyramids. We are building here on this elevation a memorial which ought to stand as long as this Republic stands [applause], and this Republic ought to stand as long as the pyramids have stood in order to accomplish its mission in the world. We are not building for this fiscal year nor for the next fiscal year. On the first terrace—and that is part of this additional expense—is to be planted, as I have stated, four rows of trees. Those trees will not reach their maturity during the life of any Member of the House.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RAINEY. Mr. Speaker, could I ask the gentleman to give me five minutes more?

Mr. PAGE of North Carolina. Mr. Speaker, I yield five minutes additional to the gentleman from Illinois.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for five minutes.

Mr. RAINEY. In the center of this memorial is to stand the statue of Lincoln, here where the North and South meet, the statue of the man who in his first inaugural said, before war had broken out on the longest battle line the world had ever known, speaking for the North then as well as for the South:

We are not enemies, but friends. We must not be enemies.

And to-day, half a century after the close of the war, more than half a century after the death of this great American, here under the shadow of Arlington, surrounded by an amphitheater of the hills of the Southland, we are building this memorial. On one side of the central chamber, in which is to be placed the statue of the martyred President, will be a memorial hall, which will contain the Gettysburg address; on the other side another memorial hall containing his second inaugural address. The building itself is being built within this appropriation. The plans for a building never contemplate the grounds, the grading, the walks, drives, the parking, and the planting of trees, and this additional appropriation is in large part asked for the purpose of furnishing a proper setting for this great memorial structure, for the purpose of preparing the walls of these memorial chambers for decorations and for suitable mural paintings, historical in their character. The additional sum requested provides also for the approaches to the building. Since the monument was contemplated originally and since the plans were agreed upon there has been an increase in the price of labor and an increase in the price of material. The bronze beams will cost more now than then—

Mr. GORDON. Will the gentleman yield?

Mr. RAINEY. I do.

Mr. GORDON. An increase in the price of labor and material would not affect contracts if such increase has occurred since the contracts were made.

Mr. RAINEY. It affects the cost under the plans approved by the commission. I do not believe the gentleman from Ohio wants to dwarf this Lincoln Memorial, that is to last through all the centuries. I do not believe the gentleman can afford to vote against a proper setting for this memorial to Abraham Lincoln and go back and attempt to explain his position to his district. [Applause.] The gentleman would not want to do that. So far as I am concerned, he can do it and explain his attitude to his constituents. [Applause.]

Mr. GORDON. A good argument that is.

Mr. RAINEY. The terrace wall will cost more than originally contemplated. The bronze screen between the entrance columns will cost more. The increased cost of these items, due to the rise in the price of labor and material, will amount to something like \$172,000. The balance of the amount we are asked to authorize to-day is made up of necessary items not

included in the original contract—electric wiring and fixtures. Does any gentleman want this building to be erected there without any method of illuminating it in the nighttime or on a dark day? The decorative paintings on the walls and upon the ceiling of this magnificent memorial building will cost \$50,000. Does any gentleman object to the decorating of these walls with proper historical paintings? The masonry approaches to the memorial will cost \$237,000. Does any gentleman want this memorial to be constructed without these approaches? These are items which make necessary the additional cost of this building that we are not building for to-day or next week or for this fiscal year, but for all time. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. FITZGERALD. Mr. Speaker, Congress intended that there should be erected to the memory of Abraham Lincoln a memorial that would command the respect and the admiration of civilized men the world over. To enable such a memorial to be constructed it created a commission of distinguished public men and provided that there should be expended the sum of \$2,000,000, a sum nowhere rivaled in any action that Congress had theretofore taken for memorials. It was intended that this sum should provide a complete memorial, and the act was so framed and construed that when the memorial was completed everything would have been provided that was essential. When the bill that passed the House on February 7, 1911, was under consideration, Mr. McCall, who had charge of the bill, stated that he would consider it as meaning that the commission was to provide for a memorial of a very imposing character, and—

That we might contemplate providing plans for a memorial that would cost \$2,000,000, including the site and all other accessories.

The site was furnished by the Government in addition to the \$2,000,000. So the money available for the memorial was not encroached upon by expenditures for a site.

The character of this memorial when it was adopted by the commission was well understood. Its essential features were clear, and the commission knew just what was essential in order to complete the memorial. Here is a picture which shows the memorial, with all of the accessories which have been spoken of to-day, taken from a model before the design was even accepted by the commission, and furnished to me by Mr. Henry Bacon, the architect who has designed the memorial. Gentlemen in advocating concurring in the Senate amendment say that the contracts did not include provision for a bronze ceiling nor for the steps to the terrace, nor for the electric wiring, nor for the mural painting, to cost \$50,000. They did not, although the members of the commission knew that they were letting those contracts to take practically the entire \$2,000,000, and were failing to make provision for things deemed essential by the man who had designed the memorial.

I indulged in prophecy the day this bill was before the House in 1911. I sometimes do. I said then:

My experience has been that whenever Congress authorizes any public improvement or memorial or public work of any character and fixed in advance the limit of cost, it has never been able to obtain skilled services of architects or other artistic services resulting in the design for the building, memorial, or an enterprise that could possibly be built within the limit of cost fixed by Congress. If this \$2,000,000 be inserted here, I am confident that a plan will be prepared for some memorial which, although it will be stated it will not cost \$2,000,000, will never be completed with perhaps \$3,000,000, or, at least, half a million dollars more than the proposed cost.

The commission is now asking \$594,000 in addition to the \$2,000,000 already provided and in addition to a site given over by the Government.

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD. I will.

Mr. MANN. The gentleman having prophesied that this memorial would never be completed for less than \$2,500,000, why does he complain that we make him a true prophet? [Laughter.]

Mr. FITZGERALD. They have gone beyond that sum. I shall state before I finish, why I am complaining, Mr. Speaker.

Gentlemen on that side of the House for the past year or two have seemed to take particular delight in quoting for political partisan advantage some remarks made by me within the past year or two relative to the alleged extravagance of Congress. They have never quoted all that I said. At that time the principal feature of my remarks was that a handful of Democrats were continually joining with the solid Republican side of the House to pile up the public expenditures for the embarrassment of the Democratic Party. They will repeat the performance to-day.

Who was at the head of this commission that has been guilty of the indefensible and unjustifiable action of approving a plan for a memorial and making contracts, knowing that they could

not complete the memorial within the limit of cost fixed by Congress? He is a former President of the United States, who has been engaged more or less continuously in traveling about the country saying and in his restful moments writing unjustifiable criticisms of the Democratic Party as an incompetent body in the management of the Government. Yet after his long service in public life, filling important positions in the gift of his party, as the head of this commission he sets an example that would be absolutely destructive of all governmental services and agencies if followed by Democratic officials in the departments.

Who is the next leading member of the commission? A worthy successor to that former President, if by any possibility the gods should decree that he should become President of the United States, and who has recently announced his candidacy as the Republican candidate, the honorable Samuel Walker McCall, governor of Massachusetts, who probably believes that his action on this commission equips him admirably to fill the high office of President because he has demonstrated his contempt for the law enacted by the Congress of the United States.

I know that the distinguished former Speaker of the House and the present Speaker of the House are in one of those embarrassing positions that public men sometimes find themselves in and are doing the best they can under the circumstances. They were both against this scheme. They did not believe in this plan. They believed that one of the other plans proposed for a memorial to commemorate the memory of Abraham Lincoln should have been adopted; but the other gentlemen, showing their contempt for representatives on the commission taken from the House of Representatives who are elected by the people, overrode them on all occasions and put them in this embarrassing position.

Why, Mr. Speaker, is this memorial cost to be more than the amount authorized by Congress? Because the cost of labor has increased? Oh, no. Because they thought of something afterwards? Oh, no. One of the important reasons is that the former President, to whom I referred, insisted that one particular kind of marble should be used to the exclusion of any other—Colorado yule marble. I undertake to say that there are not two Members of the House that can look at a building and tell whether it is Colorado yule marble or Georgia marble. This is not the only instance in which that former President has been guilty of such conduct. All have heard or read of the history of the public building at New Haven, Conn. It is said the cost of that building was increased from \$800,000 to \$1,400,000 as one of the reasons for inducing President Taft to approve the public-building bill of 1913. He persuaded the Treasury officials, after he had retired to the quiet and hallowed precincts of Yale University, to select Tennessee marble for that building in preference to Vermont marble, at an additional expenditure of \$165,000—all, all in the interest of economy!

Mr. Speaker, we are not building a flimsy, temporary structure to the memory of Abraham Lincoln. We are spending \$2,000,000 upon it, and it will last and endure as long as anything that man can construct will endure. Col. Harts, who is the Army officer who is the executive of this commission and secretary of the Fine Arts Commission, stated that with the money now available a complete memorial would be erected; that the retaining wall was not an essential feature; that there were no essential features, he stated, eliminated from this memorial. If those additional features were to be provided, they could be provided at a later date, with comparatively no increased cost, with one exception; and that is, instead of putting in a bronze ceiling, it is proposed to put in a cement ceiling and color it with bronze paint, and that would be a difficult matter to remove.

This commission ought to go out of business. After it is out of business, if Congress should determine that it wanted those additional steps and wanted the retaining wall, that work should be put in charge of men who will observe and obey the law.

What does this appropriation of \$594,000 mean? The Architects' Trust has had its hand in it. For years we had been paying for outside architectural services 5 per cent, and then the Architects' Trust, which recently was busy on another matter, arbitrarily raised the price to 6 per cent, so that the architect on this structure, under the present limit of cost, receives 6 per cent on \$2,000,000, or \$120,000. There is no incentive upon those men to design buildings within the limit of cost, because if this particular provision be adopted the architect receives out of it \$30,000 additional as his percentage on the \$594,000 to be provided.

It was supposed that the great galaxy of statesmen upon this commission would have some interest in protecting the Treasury of the United States. Many believe that an appropriate and a

suitable memorial that would not only have done justice to the memory of Abraham Lincoln but would have commanded the respect of the United States and the admiration of all the world could well have been built, even if the site had also been paid for, with \$2,000,000. But, absolutely disregarding the law, in contempt of the law-making body of the United States, the commission proceeded according to their own will, relying upon patriotic appeals in the name of Abraham Lincoln to have their illegal action justified.

This House should not desecrate the memory of Abraham Lincoln by ratifying their action. If this were to be an incomplete memorial, if it were to be one that would not do justice to the memory of Lincoln, if it were one where additional money were required in order to make it a suitable and fitting memorial, we might with regret approve what they have done. But it will not be either incomplete or unsuitable. We should not desecrate the memory of Abraham Lincoln by appealing to the love that men have in their hearts for his great work in behalf of the Republic to justify the action that has been taken by this commission.

To my colleagues upon this side of the House I desire to say that I appreciate the appeal that is made to them. I know that some of them are placed, perhaps, in a position that may be embarrassing because of the fact that they represent the State from which Lincoln came. I know also of the purpose of a united and solidified Republicanism appealing for a few votes upon this side of the House in order to obtain this unjustifiable expenditure of \$594,000. I hope the amendment will not be agreed to. I reserve the balance of my time, Mr. Speaker. [Applause.]

Mr. CANNON. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. MANN].

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] is recognized for 10 minutes.

Mr. MANN. Mr. Speaker, it is very easy for my distinguished friend from New York [Mr. FITZGERALD] to criticize a commission because it has gone beyond the limit of the law in reference to appropriations, and I would not refer to what I now propose to refer to if my friend from New York had not so severely criticized the commission, the most conspicuous member of which, outside, possibly, of the ex-President and the Speaker of this House, is my colleague, Mr. CANNON.

The gentleman from New York and myself were on a commission in charge of the House Office Building, and the very bill that we have before us contains a provision for maintenance, including miscellaneous items and for all necessary services, \$2,500 for the House Office Building, a deficiency incurred in direct conflict with law [applause on the Republican side], because it was our duty on the commission to see that the maintenance and the services and the miscellaneous items in the House Office Building came within the appropriations heretofore made. But the convenience of you gentlemen required that some extra services and expenditures should be incurred, and we authorized them and trusted to you to make the appropriation which has been made, so far, without a dissenting voice. And so it is with all commissions. I want to say this to the gentlemen of the House: I do not know whether this Lincoln Memorial Commission is subject to criticism or not. Most of the items which this bill, by amendments, proposes to authorize are absolutely essential. You can not do without the stairway, which is the most expensive of the items. You can not do without the walk and the steps. You can not do without the retaining wall. Those items must be provided for eventually. I would not do without the bronze ceiling in favor of cement any more than I would take away the beautiful ceiling over our heads, which cost more than mere cement or plain glass. [Applause.]

I said when this bill was before the House originally for passage that some day this great country of ours, with its Capitol here and its wonderful dome, with the Mall reaching down, with the Washington Monument, and on, beyond, this memorial to Abraham Lincoln, and on, beyond, there would be a bridge crossing the Potomac River, which so long divided the North and the South in war, over to the home of Robert E. Lee, Arlington, the National Cemetery, and then from there would lead a road down to the home of the Father of His Country at Mount Vernon; and some day this great Government of ours, in the loving tenderness of forgiveness and forgetfulness, would reach on with a road leading from the Capital of the United States to the capital of the old Confederate States, and that at the other end of that road—Richmond—some day there would be erected a monument to the man whom the South most loved and revered—in modern days, at least—Jefferson Davis, the President of the Confederate States. [Applause.]

Perhaps we have not reached the time yet when the North is quite willing to do that. I am glad to know that when this bill was before the House for the erection of this Lincoln Memorial the southern Members, forgetting the feelings of the Civil War and the strife, voted almost unanimously for the great tribute which we are seeking to pay to the memory of Abraham Lincoln. [Applause.] And while the gentleman from New York is seeking to say that on our side we will be united and we want a few votes on the Democratic side, I appeal confidently to the patriotism and to the love of the southern Members of Congress to make this tribute to Abraham Lincoln the most beautiful monument constructed to the memory of any man anywhere in the world. [Applause.]

If you do not do it, your tribute to Abraham Lincoln, frequently repeated here, is mere lip service. I think we can afford to pay to Lincoln this tribute. I think we can afford to give to his memory the finest monumental structure which can be erected; and if the architects could find something else which would make it more beautiful than they now plan, I should favor it. Abraham Lincoln, tall, ungainly, homely, ugly, his heart and his memory, his deeds and his love, deserve to have as their monument the beauty of the ages—something in direct contrast with his face but along the lines of his heart. [Applause.] Let us make it the conspicuous thing in all the land, our tribute to the great lover of mankind, Abraham Lincoln. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Speaker, I deeply regret that what I shall call the attention of the House to at this time should occur upon a memorial to the great Lincoln, but I do not know of a better occasion to attract the attention of Members of this House who are at least inclined in some measure to protect the Treasury in this country from the system recently grown up in awarding contracts by the Government.

In the first place, upon this particular memorial there was an award of a contract to the Yule Granite Co., of Colorado, which entailed an additional cost upon this memorial of \$111,000 to start with. That amount of money was practically thrown to the four winds of the earth. I have heard gentlemen say here that this will be an enduring memorial to the great Lincoln. I am afraid that before many years elapse somebody will come into Congress to get an appropriation for the repair of this great memorial. The one great public building in the United States in which Yule marble has been used is the Denver (Colo.) post office, and I have been reliably informed that since the exposure of the marble to the atmospherical conditions the face of that magnificent building in Denver is cracked from top to bottom. It is an inferior marble to the marble that was in direct competition with this, to wit, the Amalcolola marble of Georgia.

Now, I have not got any marble industry in my district, and I am not speaking from a mercenary standpoint. I heard the gentleman from Wisconsin [Mr. COOPER] this morning paying a great tribute on this floor to this Fine Arts Commission. If I had my way, I would abolish the Fine Arts Commission in two minutes, and I have introduced a bill to do it. It is a menace to economy, instead of a help, in the erection of buildings in this beautiful city. For instance, take the post-office building over here. Former Secretary MacVeagh, in awarding a contract for that building, threw away \$56,000 of the public money. When it came down to the last analysis of his reason for throwing that money away he told me that there was a slight difference in the color between the granite used in the post-office building and the granite used in the Union Station. I replied: "Mr. Secretary, do you think that anyone after five years could tell the difference in the color of the stone used in the two buildings, whether it was built of Georgia or Vermont granite?" He had to admit that that was true. And yet this Fine Arts Commission, with absolute power to act, caring not a picayune about the condition of the Treasury or the cost involved, goes around here and recommends a certain sort of material and is backed up by the hifalutin experts that spend the people's money like water. I am not going to vote for the increase asked for, because it is an inexcusable extravagance. I admit that I regret to do it, but we are relying upon Col. Harts in this matter. He is a practical man; he is in charge; and he says that the memorial can be completed within the \$2,000,000 appropriation; that it will not impair the beauty or the permanency of this memorial if it should be completed within the appropriation.

Mr. CANNON Will the gentleman yield?

Mr. HOWARD. Certainly.

Mr. CANNON. Col. Harts is one of the most ardent advocates of this appropriation that there is.

Mr. HOWARD. Yes; he is, like all experts, in favor of anything that will conform to his personal views and that will take money out of the Federal Treasury and increase the burdens of the people of this country. I am not surprised at Col. Harts.

The SPEAKER pro tempore (Mr. BYRNS of Tennessee). The time of the gentleman from Georgia has expired.

[Mr. HOWARD had leave to extend his remarks.]

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I do not think that my heart was ever more engaged in any enterprise undertaken on the floor of this House since I have been a Member than it was in support of the effort to have this wonderful, beautiful design of the Lincoln Memorial adopted. I presume I am as typical a southerner as any man who ever served in this House, perhaps as any man who ever will serve. My life has been spent on the southern border of the Gulf States. I was ardently in favor of paying proper tribute to the character and achievements of that great southern man, Abraham Lincoln. [Applause.] He was a pacificator, although director of a war, and whose services to my section of the country would have been of incalculable value had he been spared. I worked in season and out of season for that design, because I wanted a memorial erected in this city so commanding and so magnificent that it would harmonize with and exemplify his great character, and I think such a design was adopted.

But, Mr. Speaker, I am like my friend from Georgia, Mr. HOWARD, and these other gentlemen, some of whom are opposing and some of whom, like the gentleman from Georgia, do not yet know whether they are opposing this appropriation. I was always afraid that there would be an appeal for more money. I believe that the amount appropriated originally was quite adequate to build a magnificent monument, one perhaps that did not cost as much as some of the great memorials of the Old World, as, for example, that to Victor Emmanuel in Rome, but which for beauty, for esthetic value, far exceeds it.

I was afraid that this appeal would be made, and I ventured to suggest to the gentlemen of the commission that every step should be taken to guard the expenditures and to avoid the necessity for coming back for more money. That has happened which I expected, but I do not believe that the Fine Arts Commission, inveighed against by my friend from Georgia, is responsible for this. Those gentlemen are notoriously unsafe advisers in matters of detail in the way of businesses and expenditures. Their minds are so absorbed with the development of the esthetic side of these schemes that they scorn to give attention to or to recognize the obligation of respecting limits in appropriation bills. They are a little difficult to deal with. I admire them in their line; they are exceedingly useful there, and I would not have the Fine Arts Commission abolished for any consideration. I think it is going to have a very great and useful part in the development of the beauty of the Capital City of this country, which can not be made too beautiful for my taste. But as chairman of the Committee on the Library in the last four years—now nearly five—I have had some experience with them. I find them almost regardless of the obligations of contracts. They seem to think it unnecessary to live up to the specifications of the law in such matters. Time and time again, as has been illustrated down here in the Grant Monument and in the pediment that is to go up on the Capitol at this end of the building, they have come in and said calmly, "We must have more time." And, being already committed to the designs, already having paid out considerable sums of money on their execution, what can we do but accept the terms that they dictate? The trouble is that we have not been particular enough ourselves to live up to the very letter of the law of appropriations. Of course this appropriation will pass. It is impossible to resist the eloquent appeal made by the distinguished and venerable statesman from Illinois [Mr. CANNON], another southern man, by the way, I am proud to say—oh, yes, we made large contributions to the civilization of Illinois when we sent Lincoln and CANNON there. [Applause.] It is impossible to make an appeal for the protection of the Treasury which will stand against such eloquence; but, as a rebuke to commissions, as a rebuke to artists who have no regard for their obligations, I think we may very well withhold the appropriation on this occasion.

Mr. CANNON. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Speaker, it so happens that I was not a member of the subcommittee which considered this item in this bill, and neither did I have the privilege of being present at the meeting of the full committee when the item was considered. I had been summoned home on account of a death in my family. I have asked for these few minutes to-day particularly to say to

this House that if I had had the opportunity I would proudly have voted for this amendment. [Applause.] I do not like to hear so much about the South when a proposition of this sort is before the Congress, and neither do I like to hear so much eloquence on my side of the aisle coming from distinguished Representatives from the Southland, for whom I have the utmost regard and respect, when a monument to the memory of Abraham Lincoln is being considered; nor do I like to have the honesty and character of men like those who comprise this commission questioned on this floor. It so happens that the distinguished first citizen of my own State—not a member of my political party—the present governor, Hon. Samuel W. McCall, was a member of this commission. I never knew him to do a dishonest act. It may be that he will be the next first citizen of this land; and as a Representative of the old Bay State, despite my loyalty to my own party, I would never hang my head if Sam McCall were President of the United States. [Applause on the Republican side.] Parenthetically, I would say that I would like to see that applause just a little stronger over on that side of the aisle. [Laughter and loud applause.]

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

Mr. GALLIVAN. Surely.

Mr. GORDON. Is the gentleman a member of the Committee on Appropriations?

Mr. GALLIVAN. Yes.

Mr. GORDON. Does the gentleman know anything about these extras that he is talking about?

Mr. GALLIVAN. I hope so—probably as much as the gentleman from Ohio ever knows about what he talks about. [Laughter.] Mr. Speaker, we are talking about a monument to a man who was born 107 years ago last Saturday in a rude cabin in Kentucky, as the gentleman from Texas [Mr. SLAYDEN] has told us, destined to complete the work begun by Washington and to write his name indelibly on the history of mankind. He was born into a poverty that the gentleman from Ohio [Mr. GORDON] and others who now preach economy can scarcely understand, and into conditions that gave little presage of the splendid career of patriotism and statesmanship, sacrifice and solid worth his life accomplished, and if it were not for men like Lincoln the gentleman would not be a Member of the Congress of the United States in this day and year. [Applause.] Yet we hesitate at two hundred and fifty additional thousand dollars to complete a monument to his memory. In my judgment, thirty millions of dollars would not memorialize what Abraham Lincoln accomplished for this, the greatest country under the stars! [Applause.]

Out of a youth full of penury and unremitting toil, amid the rude and illiterate conditions of a hard frontier life, the boy plucked the rudiments of education. This self-taught backwoodsman was the incarnation of the American idea; strong and sound in body and mind, his simplicity and sanity, his honesty and courage, his humanity and humor, his charity and democracy were irresistible in refuting sophistry, unmasking falsehood, assailing wrong, and in bringing home to the American people the vigor and virtue of the basic principles of free government. [Applause.]

His splendid warning to the American people that slave and free could not exist together in a government of freemen sank into the minds of the North; his declaration that slavery was inherently wrong appealed to their hearts and consciences; and his masterly series of addresses which led up to his nomination and election to the Presidency nerved the free States to meet the inevitable struggle which the preservation of the Union and the destruction of slavery involved. Abraham Lincoln's splendid patience and tolerance of his foes and critics, his invincible optimism and faith in the success of the cause of union and freedom, his unbounding charity and unflinching persistence during the dark days of rebellion inspired the hearts and strengthened the courage of the Nation and brought victory to the Republic. In a large measure his work was done when he was stricken by the madman's bullet; the work that was done after him showed the lack of his guiding hand and broad humanity, and those whom the assassin hoped to help were the largest sufferers by his foul deed.

Lincoln passed into the company of the immortals at his death; his fame has broadened with the years into the very corners of the earth and is imperishable; his genuine greatness is acknowledged and unquestioned in every quarter of the globe; and he stands with Washington as one of the two greatest figures in the history of the American Republic. Washington found his country 13 dependent Colonies and transformed them into a federation of free, independent United States; Lincoln found the United States a jarring congress of Commonwealths, suspicious and intolerant of each other, faithless to the Constitution, the Declaration of Independence, and the principles of

freedom, and when he died he left a united country and a Nation of freemen. [Applause.]

The Republic to-day all over its broad area honors this maker of a Nation, the liberator, Abraham Lincoln; and to-day we recall his life and utterances and his fidelity to the high principles of liberty, humanity, equality, and the common brotherhood of man—principles that in this age are more honored in the breach than the observance. [Great applause.]

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, I subscribe, as I am sure everyone else does, most heartily to the beautiful tribute which was paid by our leader to the memory of Abraham Lincoln, but I deny that a vote upon this question is any test of either a man's patriotism or of his admiration and reverence for that great man. [Applause.]

I yield to no man in my respect for his memory, but I feel it my duty to vote against this proposition. [Applause.] I do not think anyone pretends that the memorials we build to our national heroes are at all commensurate with their services for us. I do not think anyone pretends that the amount of money we vote for a memorial measures at all our gratitude. No money could measure that. We only decide what is a fair, liberal amount to build a memorial. If \$2,000,000 had not been thought enough, I would gladly have voted originally for any additional amount; but when Congress has once fixed it, I do not want any Executive authority to try to increase it. Congress decided that \$2,000,000 would build a beautiful and fitting tribute to one of our greatest Presidents.

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

Mr. GILLETT. No; I will not until I get through. I have only five minutes—

Mr. STAFFORD. There is plenty of time on the other side and the gentleman can have it.

Mr. GILLETT. If I am given the time, I will answer the gentleman's question. Now, Mr. Speaker, we had every reason to expect, at least I expected, when this commission was appointed, consisting of some of the most distinguished citizens of this country, that for once, for once, the executive body would carry out the will of Congress. We are constantly criticizing here—I believe the Appropriations Committee feel it more than others—but we are constantly criticizing the executive tendency not to abide by the will of Congress in appropriations. When an appropriation is passed for some object the executive departments always seem to be striving to exceed the appropriations, striving to make some plan by which they can come before us and compel us to further what they desire. It is not peculiar to this or any administration. I believe the most flagrant instance of it in Washington is our present Agricultural Department Building. It is an executive tendency and Congress always is enraged by it, as we have the right to be. When this commission was appointed I thought at last we had a commission that would conform to the will of Congress. I appreciate what our distinguished ex-Speaker said, and I appreciate the delicacy of his position. I venture to say that if he had had the running of that commission a beautiful and satisfactory memorial would have been built, with all of its accessories, within the \$2,000,000. Some of my most intimate friends are upon this commission and yet I am mortified by their conduct. I think from the beginning it was obvious from what our ex-Speaker said that there was an expectation that they would come before us for an increased appropriation. Now they ought to have done one of two things. They ought, as he said, to have cut the garment according to the cloth, or they ought originally to have come back to Congress and said that they could not construct such a memorial as we wished for that money and they wanted more, and undoubtedly Congress would have given more if necessary, but for them to go on and commit us to a plan and then come back and claim that they can not complete it within the appropriation is most censurable.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GILLETT. Can the gentleman from New York give me two or three minutes more?

Mr. FITZGERALD. How much time have I remaining?

The SPEAKER pro tempore. The gentleman has 30 minutes.

Mr. FITZGERALD. I yield five minutes additional to the gentleman.

Mr. GILLETT. I will try not to use all of that time. Now, what is the question of the gentleman from Wisconsin?

Mr. STAFFORD. Does the gentleman from Massachusetts argue in favor of an unfinished memorial to the greatest American?

Mr. GILLETT. Indeed I do not.

Mr. STAFFORD. That is the proposition before the House to-day.

Mr. GILLETT. Now, that is where the gentleman is mistaken. He is a member of the Committee on Appropriations and ought to have read the hearings.

Mr. STAFFORD. I have read every word of them through.

Mr. GILLETT. Col. Harts stated that under the present appropriation we can have a finished memorial.

Mr. STAFFORD. Finished without the steps or terraces or—

Mr. GILLETT. The steps were not in the original plan, as Mr. CANNON told us.

Mr. COOPER of Wisconsin. Will the gentleman yield for a question?

Mr. GILLETT. Yes.

Mr. COOPER of Wisconsin. I have heard that same statement made several times. It is true, is it not, that Col. Harts said that for that amount of money we can have a memorial?

Mr. GILLETT. He said a finished memorial.

Mr. COOPER of Wisconsin. There is a great difference between simply using the article "a" and using the expression "suitable" memorial for Abraham Lincoln.

Mr. GILLETT. Will the gentleman read what he said?

Mr. STAFFORD. Will the gentleman permit me to read what he said? I have it here—

Col. HARTS. They are [referring to the steps], however, essential to furnish access to the building, which was raised 45 feet above the surrounding park.

Mr. GILLETT. Mr. Speaker, we all know that is not true. We all know they were not in the original plan, and we know we do not need steps. We have no steps leading up to the Washington Monument, and that is way above the level of the park. You can have grading, grass, and walks, but you do not need a vast area of masonry. They were not in the original plan. It is very natural—architects, of course, are always—

Mr. MANN rose.

Mr. GILLETT. No; I thank you.

Mr. MANN. I will do the same thing some time.

Mr. GILLETT. Wait until I finish this—architects are always urging extra expenses, and, of course, it is to their self-interest to do so. They get a commission of 6 per cent. The architect will get \$35,000 more if we give this additional appropriation. The commission ought not, in my opinion, to allow the architect these extras, after they themselves have said they were not necessary and adopted a different plan. But I admit there were some features of this that are essential, and I condemn this commission for omitting these features.

Electric wiring they did not provide for, or the painting on the walls. If it is necessary, they certainly ought to have been a part of the original proposition. It was left out for some reason or other, apparently because there were not funds enough.

Now, in my opinion, this commission should have done one or two things. They should have come back to Congress and asked us for an additional appropriation if necessary, or they should have changed their plans. Either one or the other would have been an honorable and straightforward course, and for one I am deeply disappointed and mortified by the action of this commission, a commission in which I had the greatest confidence, for whose members I have the highest personal regard. There is no executive encroachment which so provokes me as this custom of first getting an appropriation and then coming back to Congress and telling them it is necessary to have additional funds in order that the project may be completed. And for one, even when it is done by these eminent public men, I will not condone it by my vote.

Mr. CANNON. How much time have I, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 14 minutes remaining.

Mr. CANNON. How much has the gentleman from New York [Mr. FITZGERALD]?

The SPEAKER pro tempore. Twenty-five minutes.

Mr. FITZGERALD. I will yield five minutes to the gentleman from Texas [Mr. DAVIS].

Mr. DAVIS of Texas. Mr. Speaker, I have listened with a great deal of interest and very great concern to this discussion. I am a new Member of this House, but I am not new to the memory and traditions of Abraham Lincoln. I have often said that the two greatest characters, in my judgment, in this Republic, the two men who wrought more for humanity, the two men who left their footprints deepest in the sands of time to be witnessed by the coming ages were Thomas Jefferson and Abraham Lincoln. Thomas Jefferson, a child of education and refinement, wrote that solemn and undying truth, so far as this

Republic is concerned, that "all men are created equal." Abraham Lincoln, coming from the cabin, in the common elements of life, wrought his own destiny, and with his pen put that declaration into life and living existence in the law of this Republic.

There may have been, as the gentleman from New York [Mr. FITZGERALD] stated, some kind of political jackals who are willing to rob the grave of a great man in order to get a grab into the Treasury. I do not believe it. But let that be as it may, I can not cure the past; and the only opportunity that I have now left to build a memorial in splendid commemoration to one of the great men of our Republic and one of the comets that passes along the centuries of ages, to glow among the stars and galaxy of life, is to vote for the appropriation for this monument. [Applause.] And I shall so vote. [Applause.]

Mr. CANNON. Mr. Speaker, I yield a minute to the gentleman from South Carolina [Mr. RAGSDALE].

Mr. RAGSDALE. Mr. Speaker, coming from the first State that called its sons to the colors to defend what they believed an invasion of their constitutional rights, the son of a Confederate soldier who followed the sacred stars and bars, loving the traditions of the South, yet I represent a people who learned with deep sorrow of the murderous hand that struck down the great President of these United States when he was called into the great beyond. Coming from a people who learned at the time of his death, in their daily life, of the great loss they had sustained, and coming from a people who are back in the Union to-day and want to be united with all parts of the Union [applause], I voice my own sentiments and the sentiments of my people in saying it will be a privilege and a pleasure to help make this Lincoln Memorial such a memorial as it should be, the most beautiful we can erect for the man who stood for so much in the trying days of the sixties. [Applause.]

Mr. MORGAN of Oklahoma. Mr. Speaker, it was a most appropriate thing for a previous Congress to authorize the erection at the National Capital of a memorial which would, so far as possible, fittingly convey to future generations the great service that Abraham Lincoln rendered to his country and to humanity. I come from a State nearly evenly divided in population between those who were born in the South and those who were born in the North. I believe that I correctly voice the sentiment of the people of Oklahoma, regardless of the place of birth, when I vote to enlarge the appropriation, hitherto authorized, for the erection of such monument. The evidence before the House is that the appropriation heretofore made is not sufficient to properly complete this memorial. So far as Lincoln is concerned, his fame is secure without the erection of this monument. We should, however, bear in mind that this memorial will commemorate the matchless service of one whose name shines with greater luster than any other name in the annals of American history since the days of Washington. A little over a half century ago in this city, the Capital of this great Nation, a deed was perpetrated that shocked the civilized world and plunged the Nation into mourning. The President of the United States, the preserver of the Union, the emancipator of a race, lay prostrate in death, the victim of an assassin's bullet. Thus, one of the greatest characters in all the world's history passed from the scenes of earthly conflict to his eternal reward.

Every mark of honor and respect was shown to the martyred President. In every possible way the people manifested their high appreciation of the services he had rendered the country; in every conceivable manner they indicated the irreparable loss the Nation had sustained in his death; and by every appropriate means they exhibited their great love and affection for him and their inexpressible grief and sorrow at his untimely and tragic death.

Appropriate funeral services were held throughout the country. The remains were brought to the Capitol and placed in the Rotunda; under its great Dome tens of thousands of people, with bowed heads, pallid faces, aching hearts, and tear-moistened cheeks beheld for the last time the lifeless form of Abraham Lincoln.

Fifty-one years have come and gone since Lincoln's great life went out, but Lincoln still lives in the hearts of his countrymen. The intervening years have augmented his fame, magnified his virtues, and glorified his character.

To think of Lincoln's career unavoidably reverts our minds to that awful cataclysm of civil war that convulsed this country from 1861 to 1865. In this mighty conflict the fabric of this Government was put to its severest test. Our national structure quivered, trembled, and rocked from turret to foundation. Our resources were taxed to the verge of exhaustion. Sectional strife, hatred, and bitterness swept this country with the force and fury of a tornado. For four long years the ominous clouds of war hung like a pall over this distracted land—causing the

weak to despair, the strong to falter, the brave to fear, and the great to weep.

These were years of doubt, distrust, and fear—yet years of sublime faith, of rare fortitude, of superb courage, of great heroism, and genuine patriotism.

War stamped its impress upon everything. Business, trade, commerce, schools, churches, social life—all intermingled and blended with the bloody conflict in progress. In every home there were badges, tokens, and insignia of warfare. Every heart throb of the people—North and South—kept time with the martial music that was wafted upon every breeze.

For more than four long years Abraham Lincoln lived, moved, and had his being in this mighty maelstrom of war. The storm center of that great cyclone of contending military forces constantly hung over his head. He battled with its swiftest currents, he rode upon its highest billows, and upon his great heart, beat its greatest fury.

Through it all, Lincoln never faltered, never complained, never despaired. Supremely conscious of the justness of the cause which had been placed in his keeping, he remained serene, confident, hopeful, kind, and forgiving. He uttered no harsh word against the South, and on the 4th day of March, 1865, only a few weeks before he passed away, he stood on the east portico of this Capitol, near the spot where we now stand, and with perfect trust and candor, said:

With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphans; to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations.

Volumes have been written upon the life and public services of Abraham Lincoln. Authors, poets, and orators have extolled his deeds, recounted his achievements, and exalted his life and career. Renowned artists and sculptors have preserved his form and features upon canvas and in marble. States and municipalities have erected monuments to perpetuate his memory. Congress has recently authorized the expenditure of several millions of dollars to erect at the National Capital a magnificent memorial in his honor. All this is highly commendable.

Still all such efforts must largely fail. No person, no State, no nation, can construct, and no heart can conceive, a statue, a monument, a memorial that will give future generations a true conception of the service Lincoln rendered humanity. Our country is Lincoln's monument.

In his immortal Gettysburg speech he expressed the hope that—

This Nation, under God, shall have a new birth of freedom.

That prayer has been answered. War ceased. Sectional strife ended. Peace came. Our country was reunited. We became one people—one in thought, one in purpose, one in aspiration, one in destiny, and one in devotion to the flag. Our country had a new birth of freedom. It entered upon a new lease of life and power and greatness. When the Civil War closed we were a fourth-class power. We have risen to first place among the nations of the earth. We have become a great world power. In agriculture, in mining, in manufacturing, in internal commerce, in means of transportation, in communication, in wealth, and resources, we lead all other nations. We lead in education, in invention, and in intellectual achievements. We have attained great eminence in art, science, and literature. Many new States have been added to the Union. The flag floats over distant islands of the sea, and the Nation which Lincoln preserved is the greatest political power for good in the world.

Our country, with its one hundred millions of free people, with all its wealth, power, and greatness, with all its splendid institutions that stand for progress, liberty, freedom, and justice, with all its power to advance, enlighten, and uplift humanity, this country stands a monument to the wisdom, statesmanship, and patriotism of Abraham Lincoln.

Mr. CANNON. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. HARRISON].

Mr. HARRISON. Mr. Speaker, 43 years ago, at the other end of this Capitol, a great Senator from my State, in a most eloquent and patriotic speech, said, "Let us know one another better and we will love one another more." Since that time the wounds of separation have healed, the scars made by the war have gone, and a sympathetic and good feeling has come about between the sections. As a Nation we are now too great and too big for any section of this country to be swayed by bigotry, prejudice, or narrowmindedness.

The people of my State and section respect the appreciation that the people of the North have for those leaders and those men who followed the fortunes of the North in the trying period of this country's history, the same as I believe the people of the North respect the appreciation that the people of the South have for the leaders and the men who followed the varied fortunes

of the South during that period. The names of Lincoln and Davis, Grant and Lee, Jackson and Thomas, reflect glory not on the North or the South, but on America, and the time will come when monuments to their memory will be found not only in the city of Washington but in the cities of both the North and the South. And to-day, coming from the very shadow of the home of that great patriot, statesman, and soldier, the President of the Confederacy, I feel that I breathe the spirit of that just man on this question when I look beyond the boundaries of the Mason and Dixon line and vote to concur in the Senate amendment. I believe it is what my people would have me do, and so I shall. [Loud applause.]

Mr. MANN. Mr. Speaker, I do not know whether the gentleman from New York [Mr. FITZGERALD] is pressed for time or not. I wish he would yield our side 10 minutes.

Mr. FITZGERALD. I am not pressed for time. Does the gentleman think he needs any more argument on that side?

Mr. MANN. Well, I really think that there are so many more arguments we can make that we ought to have them.

Mr. FITZGERALD. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. CANNON]. [Applause.]

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GRAHAM] five minutes.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. GRAHAM] is recognized for five minutes.

Mr. GRAHAM. Mr. Speaker, I had not intended to speak on this subject to-day; but sitting here, listening to the discussion, I could not help but feel a powerful inclination to utter a single plea in favor of the adoption of this amendment by this House.

I can not agree that this question involves the punishment of a commission or the questioning of the wisdom of the act of some body of men that have expended or obligated themselves to expend a little more money than the original appropriation required. I know of scarcely any case in which appropriations for any public or private enterprise are outlined and rigidly limited and then not exceeded when we wish to accomplish something that is good and strong and great. Feeling as I do, I want to recall to the Members of this House the fact that this is a rare opportunity for us to show the unity and the harmony of sentiment that prevails in our midst. Twice it has been my privilege in this House to rise and speak for unity and assist in the taking of an action that would indicate the possession of that sentiment. When a statute that inflicted a penalty upon men of the South, passed in the period of heat engendered by the war, was under consideration, though a Republican and from the North, I raised my voice and championed the passage of the act which removed that penalty and enabled distinguished people of the South to win back that which was their due. [Applause.]

When the contest was on this floor to compensate the Virginia Military Academy for its library that was destroyed in the war and for the instruments that perished then I again, because it was the honest sentiment of my soul, and wishing for a greater unity and harmony in my country, raised my voice and said:

Yes; let us pass this appropriation and add another healing incident to wipe away anything that reminds us of discord and of strife.

Why, the time has passed for these older sentiments. I believe this House will almost unanimously say that upon this occasion and in memory of this great man, "We will vote the adoption of this amendment."

I simply add in conclusion: Recall, if you will, that splendid gem of literature that sparkles and glistens like a diamond, "The Perfect Tribute," it is called, written about this dead President, describing him when about to make and in the deliverance of his speech at Gettysburg. He struggled to prepare it and was dissatisfied because it seemed not to adequately express the kindness of his great soul, and when he had uttered it, after the famous oration of Edward Everett that was there delivered, he hung his head and said, "It is a failure." Walking the streets of Washington a day or two after, a boy ran into him as he went along with head bowed and his hands behind his back, and stopping, he said, "What is the trouble, my boy?" The boy said, "I wish to find a lawyer to write my brother's will; he is dying." And—but then you know the story that led the President to the bedside of the dying Virginian, where, after writing the will for this brave Confederate soldier, conversation turned upon the speech delivered at Gettysburg, when Lincoln said, sitting there unknown, "Oh, it seems to me it was a dismal failure; it was received in dead silence." "Oh, no," said that dying soldier; "it was a great success, and the fact that it was received in perfect silence was the perfect tribute to a perfect gem of speech." [Applause.] "Oh," he said, "if our people in the Southland could only know and feel what that expresses and know the sentiment to be the

President's and that it was not only in the great heart of Lincoln but was growing in the whole North and would in time completely prevail, this war would cease, and the bitter strife of brethren would be stilled." [Applause.]

Let us make the silent monument perfect and give it as a perfect tribute to the greatest man of the century in which he lived.

America!

Though passing brief the record of thine age,
Thou hast a name that passeth all
On history's broad page.

Mr. CANNON. Mr. Speaker, how much time have I?

The SPEAKER pro tempore. The gentleman has 14 minutes remaining.

Mr. CANNON. I yield to the gentleman from Ohio [Mr. FESS] four minutes.

Mr. FESS. Mr. Speaker, I yield back the time.

Mr. CANNON. Mr. Speaker, I really believe that the gentleman from New York [Mr. FITZGERALD] has been playing with the House [laughter], an opportunity having been given to gentlemen to say "Yea, yea," and "Nay, nay." I think he knew that when the time came to vote a very decided majority on his side of the House, as I believe, and a very decided majority of the minority side would vote for this amendment.

Having been a member of the Committee on Appropriations for 22 years and its chairman for 10 years, I know how strong the temptation is to insist that all things should be within the limit of cost. I have said, in substance, many times what the gentleman has said—not so well as he has said it, however.

Now, I am not going to apologize or to answer the strictures that were made by my colleague upon the committee [Mr. GILLET] or by anyone else. I do not feel that I ought to be bound and tried and convicted for violating the law, or that his distinguished governor, Mr. McCall, ought to be, or that the gentleman from Mississippi, then Senator, Mr. Money, now dead, ought to be.

The truth is the law has not been violated, as claimed. That is the plain truth. The contract for this monument was let within the limit of cost. Is there any proof of that? If it had not been let within the limit of cost the accounts would not have been audited. There is a last guess about expenditures.

It is true that in order to use the Colorado Yule marble we dispensed with certain things that were in the original proposal. That is a thing that I did not approve of at the time, as perhaps I have said before to-day. We dispensed with the bronze ceiling and bronze screens, and the granite wall about the terrace, 13 feet on nearly 1,300 feet of terrace. But that was the action of the commission, and it was lawful, being such minor modifications as the commission had the power and the right to make. So that if the gentlemen were in earnest when they heaped coals of fire upon the head of my dead Senator, Mr. Cullom, on the ex-President, Mr. Taft, and the governor, Mr. McCall, and the Senator from Mississippi, Mr. Money, it is apt and proper that I should take this much of my short remaining time in replying to them.

Here is the picture that my friend from New York says was made and given to him. Yes; and that was not included in the contract. The contract extended from this point here so far as the steps were concerned. Now, the question is, Will you finish this building as it ought to be finished?

Now, as to the bronze ceiling and the bronze screens. I want them to be real bronze and not cement. [Applause.] In the fullness of time if, after this great memorial has dwelt in history, when all of us have been forgotten except a few great characters, it should be destroyed by accident or otherwise, I want the bronze ceiling to be there and not the bronze paint upon the ceiling.

Mr. Speaker, this is about all I want to say about the building. It is straight business, and, after all, there is sentiment in it.

Mr. GORDON. And that is about all there is in it.

Mr. CANNON. Oh, if my friend from Ohio had wisdom according to his interruptions, what a great man he would be. [Laughter.] But I will say that sentiment is always to be regarded if it be a good sentiment.

One day during my service a gentleman from Pennsylvania, whose acquaintance I made, came to me with a letter of introduction. I paid attention to him; we walked about the Capital and talked about the city. It was nothing like the city that has since grown up. He said, "What a magnificent Capital." "Yes," I said, "the greatest in the world." "Oh," said he, "I came with the First Pennsylvania Regiment that came down to Washington shortly after Sumter was fired upon. A comrade with me walking about the city came to the Capitol, and when we saw the beauty and the finish of this Capitol and its architecture, the magnificence of the size, my friend said with tears

in his eyes, 'My God, I never realized before what this Government means. I am ready to die for it, and I will die gladly if it is necessary to save it.' [Applause.] He did die to save it, and he died in a contest on the battle field, as this gentleman stated to me.

It is something in having a great Capitol, the highest grade of art, slighting nothing from any standpoint we are able to pay for. We ought not to slight work, we ought not to slight buildings or memorials. Our wealth is measured by two hundred billions of dollars. One-third of the world's wealth is in this country, and it has doubled since the census of 1900. I think we need not halt about making this expenditure from the standpoint of poverty.

I do not know that I desire to say anything further. I might talk about Lincoln, but it is not necessary. It is not necessary for this memorial, so far as it is concerned, to write him permanently in history. It is of more use to the present and coming generation; it can be of no use to Lincoln, because, as Stanton said when the breath of life left him on the morning he died, "He is with the ages now." [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolutions of the following titles:

On January 24, 1916:

H. R. 320. An act to authorize the county of Bonner, Idaho, to construct a bridge across Pend Oreille River; and

H. R. 775. An act granting the consent of Congress to J. P. Jones and others to construct one or more bridges across the Chattahoochee River between the counties of Coweta and Carroll, in the State of Georgia.

On January 26, 1916:

H. R. 7611. An act authorizing the Seaboard Air Line Railway Co., a corporation, to construct and operate a bridge, and approaches thereto, across what is known as Back River, a part of the Savannah River, at a point between Jasper County, S. C., and Chatham County, Ga.

On January 28, 1916:

H. R. 4716. An act to authorize Dunklin County, Mo., and Clay County, Ark., to construct a bridge across St. Francis River; and

H. R. 6448. An act to authorize Butler and Dunklin Counties, Mo., to construct a bridge across St. Francis River.

On February 7, 1916:

H. R. 8235. An act to provide for the maintenance of the United States Section of the International High Commission.

On February 10, 1916:

H. R. 4954. An act directing the Secretary of War to reconvey a parcel of land to the Anshe Chesed Congregation, Vicksburg, Miss.

On February 15, 1916:

H. J. Res. 95. Joint resolution authorizing the Secretary of the Navy to receive for instruction at the United States Naval Academy at Annapolis Mr. Carlos Hevia y Reyes Gavilan, a citizen of Cuba;

H. J. Res. 98. Joint resolution making part of the appropriation, "Construction and machinery, increase of the Navy," in the naval act approved March 3, 1915, available for the extension of building ways and equipment at the navy yards at New York and Mare Island, Cal.;

H. J. Res. 146. Joint resolution authorizing the Secretary of War to loan, issue, or use quartermaster's and medical supplies for the relief of destitute persons in the districts overflowed by the Mississippi River and its tributaries;

H. R. 8233. An act granting the consent of Congress to the Republic Iron & Steel Co. to construct a bridge across the Mahoning River, in the State of Ohio; and

H. R. 9224. An act providing for an increase in number of midshipmen at the United States Naval Academy.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Speaker, we have talked about everything else but the question before the House. I want to call attention to the actual matter that is presented here for consideration. We are advised by the leader of the majority and by the leader of the minority on the Appropriations Committee that this additional expenditure ought not to be authorized. From the evidence before us it appears that some preceding Congress authorized the expenditure of not to exceed \$2,000,000 to erect a memorial to Abraham Lincoln and donated the site. Some very eminent gentlemen have been named as members of this

commission. I suppose, like most commissions, they are mere figureheads, and the architects, with a natural desire to increase their fees, as they receive 6 per cent on all extras as well as the contract price, have proposed to substitute another appropriation for the one made by Congress. The leaders on the Appropriations Committee, charged with very grave responsibility in Government expenditure of the public revenue, have told us that this ought not to be done. So far as I am concerned, I propose to vote with the gentleman from Massachusetts [Mr. GILLET] and the gentleman from New York [Mr. FITZGERALD] upon this question.

Of course, this has furnished an opportunity for a number of Members here to make speeches to circulate in their districts and to parade their patriotism before this House by showing their willingness to vote more money out of the Public Treasury. I would have more respect for their patriotism if they would come forward and donate some of their own funds to a worthy enterprise, rather than make these spread-eagle speeches to aid and assist in taking public money out of the Treasury, against the protests of the leaders on the committee. [Applause.]

I suppose a majority of this House will be scared into voting for this appropriation, for fear their patriotism or their respect for Abraham Lincoln may be called in question. So far as I am concerned, I will vote against it if I am the only one on the floor.

I want to pay my respects to the speeches and to enter my protest against the putrid patriotism that is always hauled out and paraded on the floor every time somebody wants to make a grab out of the Treasury. We are told by the responsible men on the committee that the present plans and specifications carry out the original intention of the House, and that this memorial can be erected within the appropriation and nothing will be absent, but that it will be entirely completed. I think it is time for this House to assert its dignity and, when it makes appropriations for a specific purpose, not to permit some architect or contractor to come back and drag more money out of it.

Why, we are establishing a precedent that will cost the people of this country untold money in the future. It has been said time and time again that this memorial can be completed as originally planned and authorized, according to the testimony by the leaders upon the Appropriation Committee. It is time this Congress put its heel upon that sort of thing, and a good opportunity would be to do it right now; and I undertake to assure you here and now that no man would show any disrespect to Abraham Lincoln or any lack of patriotism by voting against this \$569,000. [Applause.]

Mr. FITZGERALD. Mr. Speaker, have I any time remaining?

The SPEAKER pro tempore. The gentleman from Illinois has two minutes remaining and the gentleman from New York five.

Mr. CANNON. Mr. Speaker, I yield the remainder of my time to the gentleman from Colorado [Mr. HILLIARD].

Mr. HILLIARD. Mr. Speaker, the people of Denver, whom I have the honor to represent, know me to be a modest man, and they expect that I shall be properly modest down in Washington. Thus far I have not worried this House with any utterances of mine, and to-day I should not do so but for the fact that the gentleman from Georgia [Mr. HOWARD] saw fit, upon information which he could not verify, to say that the most beautiful post-office building in the world, as seen in Denver, Colo., is cracking from the top to the bottom. [Laughter.] I wish to say that that building, constructed of the finest and strongest marble that God ever hid in the earth and that man ever dug up for his use, is a perfect structure in every particular. [Applause.] I know that men who come from other States where there is an inferior grade of marble [laughter] are jealous of that young giant of the West. The gentleman disclaims, as he says, that there is marble in his own district. I believe that; but if he were to assert here that there was an entire absence of concrete in his district he could provoke a wonderful argument. Mr. Speaker, I simply wish to say that I shall find pleasure in supporting the motion to concur in this appropriation. I believe that Abraham Lincoln accomplished that which no other man living or dead ever did or ever will; that while he was yet walking and on the earth he achieved that greatness which only comes to a man of whom no other great man is jealous. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I yield the balance of my time to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Speaker, the question now before the House is to concur in Senate amendment No. 1 to the urgent deficiency bill providing that the limit of cost of the Lincoln Memorial shall be increased from \$2,000,000 to \$2,594,000. I shall vote

against it. If I had been a Member of this House when the original appropriation of \$2,000,000 was made, I would gladly have supported the appropriation; but now that the commission has not obeyed the original instruction of Congress but are wishing to go beyond it to the extent of \$594,000 I shall follow the recommendation of the honored chairman of the Appropriation Committee, the gentleman from New York, Mr. FITZGERALD, and will vote to not concur in this Senate amendment.

Abraham Lincoln needs no marble monument to perpetuate his memory in the United States. We honor him because his life exemplifies the noblest principle of all, that of service to humanity. Mr. Speaker, a man may pile wealth upon wealth until the spire of his golden temple will reach the very heavens; he may add unto himself power again and again until millions will tremble at his very footfall; he may possess the gift of prophecy and understand all mysteries and all knowledge and yet find that his rainbow is but a momentary thing, and that the afterglows are but ashes while we gaze. There is but one light that the ages do not dim. It was seen in the burning bush which Moses saw upon the Mount of Horeb; it was witnessed by the children of Israel in the pillar of cloud by day and the pillar of fire by night; it drove away the Stygian darkness that enveloped the shepherds as they slept on the Judean hills and revealed to them the angelic host singing "Peace on earth and good will to men"; and it was none other than this light that fired the heart of Abraham Lincoln through the long and weary years of fratricidal strife. And to-day he is honored not because of the eminent position that he occupied but because of the spirit of sacrifice that his whole life reflected. There is no law that is more universally established in God Almighty's universe than the law of service. Go and ask the opening flower why it stands there and it will tell you that it stands there to sweeten the breath of man and show upon its every penciled leaf the handiwork of God. Go and ask the mighty oak that stands by the highway and it will tell you that it has stood there for more than a hundred years, and that it has spread out its brood branches in order that the flocks of the field might seek its shade. It will tell you that more than once it has received unto its body the lightning's bolt that would else have destroyed the traveler, and that finally when it falls it will fall by the hand of man and go into the ship that makes him the master of the seas.

Go and ask the mountain brook that comes down the side of the mountain like a ribbon of silver and it will tell you that it was born way up there where it could do no good, and so it hurried down, running where it could and leaping where it must, but always hurrying down, in order that it might quench the thirst of the shepherd's flock and finally spread out into a broad river and bear upon its bosom the commerce of the world. And thus, gentlemen of this House, the Master Builder of the universe has written upon every flower that blooms, upon every raindrop that swells the mighty river, upon every penciled shell that sleeps in the caverns of the deep, upon the very stars that light the path of the Milky Way, upon all of these He has written the universal law of service. [Applause.] And as a Member from the South I pay my tribute to the memory of the martyred President—the man who served—the kind and noble Lincoln; and before I close I want to thank the gentlemen on the other side for the tributes they have paid during this debate to the memories of Jefferson Davis and Robert E. Lee [applause], because "of all men who ever carved their names on fame they stand alone. Others have won honors because of their triumphs; they won honors from defeat and made failure glorious [applause]; vanquished they were, yet the victors. To honor virtue is to honor them, and to reverence wisdom is to do them reverence. [Applause.] In life they were a model to all who live, and in death they left a heritage to all. One such example is worth more to earth than all the stained triumphs of 10,000 Caesars." [Applause.]

The SPEAKER pro tempore. All time has expired, and the question is—

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Illinois that the House recede from its disagreement to the Senate amendment and concur in the same, and upon that motion the gentleman from Illinois [Mr. MANN] asks for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 257, nays 84, answered "present" 4, not voting 89, as follows:

YEAS—257.

Abercrombie	Anderson	Bacharach	Britten
Adair	Ashbrook	Barnhart	Browne, Wis.
Alexander	Austin	Beakes	Browning
Allen	Ayres	Britt	Bruckner

Brumbaugh	Gandy	Lobeck	Rodenberg
Buchanan, Ill.	Gard	Loud	Rogers
Burke	Garland	McAndrews	Rowe
Butler	Glass	McArthur	Rowland
Byrnes, S. C.	Glynn	McCracken	Ruby
Caldwell	Good	McCulloch	Russell, Ohio
Campbell	Graham	McDermott	Sabath
Cannon	Gray, Ind.	McFadden	Schall
Capstick	Gray, N. J.	McGillicuddy	Scott, Mich.
Carlin	Green, Iowa.	McKellar	Scells
Carter, Mass.	Greene, Mass.	McKenzie	Shackelford
Cary	Greene, Vt.	McKinley	Shallenberger
Chandler, N. Y.	Griest	McLemore	Shouse
Chipperfield	Guernsey	Madden	Siegel
Church	Hadley	Magee	Sinnott
Cline	Harrison	Mann	Slemp
Coady	Haskell	Mapes	Sloan
Coleman	Haugen	Martin	Smith, Idaho
Connelly	Hawley	Matthews	Smith, Mich.
Conry	Hayden	Mays	Smith, Minn.
Cooper, Ohio	Heffin	Miller, Del.	Smith, N. Y.
Cooper, W. Va.	Helgesen	Miller, Minn.	Snell
Cooper, Wis.	Helvering	Miller, Pa.	Stafford
Copley	Hensley	Mondell	Steele, Iowa
Costello	Hernandez	Mooney	Steenerson
Cramton	Hicks	Moore, Pa.	Stephens, Cal.
Crosser	Hill	Moore, Ind.	Sterling
Curry	Hilliard	Morgan, La.	Stines
Dale, N. Y.	Hinds	Morgan, Okla.	Stone
Dale, Vt.	Hollingsworth	Morin	Sulloway
Dallinger	Hopwood	Morrison	Sutherland
Darrow	Howell	Moss, Ind.	Sweet
Davis, Minn.	Hulbert	Murray	Swift
Davis, Tex.	Hull, Iowa	Nelson	Switzer
Decker	Humphrey, Wash.	North	Taggart
Dewalt	Hutchinson	Norton	Tague
Dickinson	Igoe	Oakey	Talbot
Dill	Jacoway	Oglesby	Tavener
Dillon	Johnson, Ky.	Olney	Taylor, Colo.
Dixon	Johnson, S. Dak.	O'Shaunessy	Tillman
Doolittle	Johnson, Wash.	Overmyer	Tilson
Dowell	Kahn	Padgett	Timberlake
Drukker	Keating	Paige, Mass.	Tinkham
Dupré	Keister	Parker, N. J.	Treadway
Edmonds	Kennedy, Iowa	Peters	Van Dyke
Ellsworth	Kennedy, E. I.	Phelan	Vare
Elston	Kettner	Platt	Volstead
Emerson	Key, Ohio	Porter	Walsh
Esch	King	Pratt	Ward
Estopinal	Kinkaid	Ragsdale	Wason
Evans	Konop	Rainey	Watson, Pa.
Farley	Kreider	Raker	Wheeler
Fess	Lafean	Ramseyer	Williams, T. S.
Focht	La Follette	Randall	Williams, W. E.
Fordney	Lazaro	Rauch	Wilson, Fla.
Foss	Lehbach	Reavis	Wilson, Ill.
Frear	Leshar	Relly	Woods, Iowa
Freeman	Lever	Ricketts	Young, N. Dak.
Fuller	Lieb	Riordan	
Gallagher	Linthicum	Roberts, Mass.	
Gallivan	Lloyd	Roberts, Nev.	

NAYS—84.

Adamson	Crisp	Huddleston	Slayden
Aiken	Dent	Hull, Tenn.	Small
Almon	Dies	Jones	Smith, Tex.
Aswell	Doughton	Kincheioe	Sparkman
Bailey	Eagle	Kitchin	Stegall
Barkley	Edwards	London	Stephens, Miss.
Bell	Ferris	McClintic	Stephens, Nebr.
Black	Finley	Nicholls, S. C.	Stephens, Tex.
Booher	Fitzgerald	Oldfield	Sumners
Borland	Flood	Oliver	Taylor, Ark.
Buchanan, Tex.	Garner	Page, N. C.	Thomas
Burgess	Gillett	Park	Thompson
Byrnes, Tenn.	Godwin, N. C.	Quin	Tribble
Callaway	Gordon	Rayburn	Venable
Candler, Miss.	Hamlin	Rouse	Vinson
Cantrill	Hastings	Rucker	Walker
Caraway	Helm	Saunders	Watkins
Carter, Okla.	Holland	Sears	Webb
Clark, Fla.	Hood	Sherwood	Wingo
Collier	Houston	Sims	Wise
Cox	Howard	Sisson	Young, Tex.

ANSWERED "PRESENT"—4.

Farr	Fields	Goodwin, Ark.	James
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NOT VOTING—89.

Anthony	Flynn	Kiess, Pa.	Pou
Barchfeld	Foster	Langley	Powers
Beales	Gardner	Lee	Price
Bennet	Garrett	Lenroot	Russell, Mo.
Blackmon	Gould	Lewis	Sanford
Brown, W. Va.	Gray, Ala.	Liebel	Scott, Pa.
Burnett	Gregg	Lindbergh	Scully
Carew	Griffin	Littlepage	Shirley
Casey	Hamill	Loft	Snyder
Charles	Hamilton, Mich.	Longworth	Stedman
Crago	Hamilton, N. Y.	McLaughlin	Steele, Pa.
Cullop	Hardy	Maher	Stout
Danforth	Hart	Meeker	Temple
Davenport	Hay	Montague	Towner
Dempsey	Hayes	Moon	Watson, Va.
Denison	Heaton	Moss, W. Va.	Whaley
Dooling	Henry	Mott	Williams, Ohio
Doremus	Hughes	Mudd	Wilson, La.
Driscoll	Humphreys, Miss.	Neely	Winslow
Dunn	Husted	Nichols, Mich.	Wood, Ind.
Dyer	Kearns	Nolan	
Eagan	Kelley	Parker, N. Y.	
Fairchild	Kent	Patten	

So the motion to concur was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. FIELDS with Mr. LANGLEY.

Until further notice:

Mr. FOSTER with Mr. WOOD of Indiana.

Mr. RUSSELL of Missouri with Mr. DENISON.

Mr. DOREMUS with Mr. JAMES.

Mr. HUGHES of Georgia with Mr. MOTT.

Mr. LEE with Mr. WINSLOW.

Mr. HUMPHREYS of Mississippi with Mr. HUSTED.

Mr. GOODWIN of Arkansas with Mr. FAIRCHILD.

Mr. WHALEY with Mr. HEATON.

Mr. CASEY with Mr. WILLIAMS of Ohio.

Mr. BLACKMON with Mr. ANTHONY.

Mr. BURNETT with Mr. DANFORTH.

Mr. CAREW with Mr. BEALES.

Mr. CULLOP with Mr. BARCHFELD.

Mr. DAVENPORT with Mr. BROWN of West Virginia.

Mr. DOOLING with Mr. BENNET.

Mr. PRICE with Mr. HAMILTON of Michigan.

Mr. DRISCOLL with Mr. CHARLES.

Mr. FLYNN with Mr. CRAGO.

Mr. GREGG with Mr. DEMPSEY.

Mr. GRIFFIN with Mr. DUNN.

Mr. HAMILL with Mr. GOULD.

Mr. HART with Mr. LINDBERGH.

Mr. HAY with Mr. HAMILTON of New York.

Mr. HENRY with Mr. HAYES.

Mr. GARRETT with Mr. KELLEY.

Mr. STOUT with Mr. KEARNS.

Mr. LEWIS with Mr. MUDD.

Mr. LIEBEL with Mr. KIESS of Pennsylvania.

Mr. LITTLEPAGE with Mr. MOSS of West Virginia.

Mr. MAHER with Mr. NICHOLS of Michigan.

Mr. MONTAGUE with Mr. PARKER of New York.

Mr. MOON with Mr. TOWNER.

Mr. NEELY with Mr. SANFORD.

Mr. PATTEN with Mr. POWERS.

Mr. POU with Mr. SCOTT of Pennsylvania.

Mr. SCULLY with Mr. MEEKER.

Mr. SHERLEY with Mr. TEMPLE.

Mr. STEDMAN with Mr. SNYDER.

Mr. STEELE of Pennsylvania with Mr. McLAUGHLIN.

Mr. WATSON of Virginia with Mr. NOLAN.

On the vote:

Mr. FARR (for motion to concur) with Mr. HARDY (against).

Mr. LONGWORTH (for motion to concur) with Mr. EAGAN (against).

The result of the vote was announced as above recorded.

On motion of Mr. CANNON, a motion to reconsider the vote by which the Senate amendment was concurred in was laid on the table.

Mr. FITZGERALD. Mr. Speaker, I move that the House agree to the conference asked by the Senate on the disagreeing votes on the other amendments.

The motion was agreed to.

The SPEAKER pro tempore. The Chair announces the following conferees: Mr. FITZGERALD, Mr. EAGAN, and Mr. CANNON.

Mr. MANN. I suppose it is by unanimous consent that the Chair named the conferees? I think it ought to be so stated.

The SPEAKER pro tempore. The Chair by unanimous consent named the conferees on the part of the House.

Mr. MOON. 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 Post Office appropriation bill.

CORRECTION IN REPORT.

Mr. CARAWAY. Will the gentleman withhold that motion for just one moment, please? I wish to ask unanimous consent to change the figures in a report.

Mr. MOON. It depends on how long it is going to take you.

Mr. CARAWAY. Mr. Speaker, I ask unanimous consent to have the report (No. 183) that is filed on the bill H. R. 6456 apply to the bill H. R. 10312. There was a mistake in the number of the bill that the reports should accompany.

The SPEAKER pro tempore. The gentleman from Arkansas [Mr. CARAWAY] asks unanimous consent to have a correction made on the report filed on the bill mentioned by him. Is there objection?

Mr. MANN. Reserving the right to object, I do not quite understand what the proposition is. Would it not be better if the gentleman has a report that has an erroneous number on it to withdraw that and ask leave to file a new report?

Mr. CARAWAY. Possibly so. Mr. Speaker, I ask unanimous consent to withdraw the report on the bill H. R. 6456, with leave to refile it with the bill H. R. 10312.

Mr. MANN. You do not require leave.

The SPEAKER pro tempore. The gentleman from Arkansas [Mr. CARAWAY] withdraws his request and asks unanimous consent to withdraw the report on the bill H. R. 6456, indicated by him. Is there objection?

There was no objection.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I renew my motion.

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. 10484, the Post Office appropriation bill, with Mr. RAINEY in the chair.

Mr. STEENERSON. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, I want to address myself to the phase of the bill that refers to the rural carrier or the Rural Mail Service. I hesitate to speak on that theme in the manner in which I probably will be compelled to do, since what I say might be interpreted to be more of a criticism than an exposition of the question. I am one of the Members of the House among a great many others that would not criticize any service of the Government, no matter what party is in control, if the change is either for a justified economy or an efficiency that is unquestioned. The change that is proposed looking to a motorization of the rural service, transplanting the horse service, is put on these two bases, first, economy, and, second, efficiency. If I were convinced that both of these or, at least, the last one, was subserved, I would not ask for a suspension of the order that has gone out. I speak with special reference to the change, because it has been ordered in my own home county, and affects my own home town, and in addition several other towns in every county in the district. And therefore, while I speak with special reference to my own community, I want to keep in mind the service at large rather than the manner in which it affects us.

In the first place, I do not believe that it will be economy, for when I laid the matter before the Fourth Assistant Postmaster General and told him that it could not possibly be made effective all the year round simply because the roads of our section of the State are not in condition to permit an automobile all the year, he said to me, "We do not intend to continue the service of the automobiles throughout the year, including the bad months of the year. We will have the automobile during the good months, and then we will have the horse carriage during the bad months." That means that the man who is to be the carrier, the owner of the automobile, will also have to have a service at certain times in the year by the horse. That would ultimately mean ownership of the automobile and also of the other method. I do not believe that that assures any economy to start with, but, even if it did, the other side, namely, the efficiency, is the serious point with me.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. FESS. I will.

Mr. SMITH of Michigan. I would like to inquire whether you will discuss the question of whether or not the horse could cover the road that was laid out for the automobile? As I understand it, the automobile has a route of 50 miles, and it was the opinion of the Fourth Assistant Postmaster General that this route could be covered by a horse in any season of the year. Or would they have to have two horses?

Mr. FESS. They would have to have two horses.

Mr. SMITH of Michigan. And two carriers for one route?

Mr. FESS. They would have to have not less than two horses, and that would mean that the man who had the route in charge would have to have an automobile part of the year and at least two horses a certain part of the year, and a very uncertain part of the year.

Mr. SMITH of Michigan. Would it be possible to cover a road of 50 miles with a horse?

Mr. FESS. I do not think so. I did not get the idea from him that one horse would be used as the automobile would have to be displaced certain months.

Mr. SMITH of Michigan. I understood he was to cover the same route with a horse that he covered with an automobile.

Mr. FESS. Two horses. One horse could not begin to do it. Now, in my district, in my own county, I asked for a statement of what the change would work in regard to the number of per-

sons that would be served under the new method. I was told that there would be several persons greatly inconvenienced. Then a Democratic Senator from my State received the information that he made public, and made the statement that in my particular county there would be 31 families served that are not being served at the present time.

If nobody was deprived and, on the other hand, more were given service, I would be one of the men who would indorse the change; but I was not sure about that. Accordingly I sent for information, and here I have it definitely and specifically. Route A, out of Xenia, Ohio, will leave off 23 families that are now served. The numbers are given on each road and each way that the carrier travels. Route B will drop, under the new plan, 9 families. Route C will drop 12 families. Route D will drop 24 families. Route E will drop 6 families. Route F will drop 10 families. Route G will drop 11 families, and Route H will drop 23 families. A recapitulation of these several routes shows that 118 families will be dropped from the 10 routes that are now served.

I asked in explanation of this whether these persons were entirely deprived of the mail service. The answer came, "Not entirely deprived, but a change is made where some of them would have to go a distance of a mile and a half to get their mail."

Mr. MOON. Mr. Chairman, will the gentleman allow me to interrupt him?

The CHAIRMAN. Does the gentleman yield?

Mr. FESS. Certainly.

Mr. MOON. Does the gentleman know how many additional families were accommodated?

Mr. FESS. Thirty-one, as Senator POMERENE stated the other day.

Mr. MOON. Has the gentleman made an application for a revision of those routes?

Mr. FESS. I have, and I received a promise that an inspector will be sent in.

Mr. MOON. No doubt that will be done. I understand, of course, that that is the purpose of the department. These inconveniences must occur on any revision, but it is the intention, I understand, to continue to revise until everybody is accommodated.

Mr. FESS. I know that the chairman of this great committee, for whom everybody has the very highest regard and esteem, is as absolutely sincere and earnest in having this trouble corrected as I am or any other Member of Congress and perhaps more so. The only thing that embarrasses me is that when we attack a change that ought not to be made we see in it what our Democratic colleagues says is not in it, and that is I think there is some political advantage that is being inaugurated here. I hesitate to say that, but there are some things in the change that look very much in that direction.

For example, here are two routes combined into one. They call that a "vacancy," and the vacancy is not to be filled by transfer. The rules of transfer will not permit, they say, to use one of the old carriers in the new route. Therefore you have produced out of two but one; you have dropped two and made a vacancy for somebody who is hardly eligible, a vacancy that can not be filled by one of the old route carriers. Past service seems to be a disqualification under this plan.

Mr. COX. Mr. Chairman, the gentleman is always fair, and I want to be fair with the gentleman. Can he state what is the politics of the rural-route carriers who carried the mail heretofore on the routes?

Mr. FESS. Two out of Xenia are Democrats. I do not know what is the politics of the others. At least one of the three out of my own town is a Democrat.

Mr. COX. If those two are Democrats, the gentleman can not see any politics in the reorganization of the two routes.

Mr. FESS. There might be. They might be put in again. But what is to become of the other eight? In this matter I had not even inquired into the politics of the men.

Mr. COX. The gentleman is living in dread of what might happen in the future. Let us live in the present.

Mr. FESS. I think there is no one on the floor here who is more frank than the gentleman from Indiana, and I think he concedes my contention here, that probably that is one of the purposes in this rerouting.

Mr. COX. No; I never could concede that, for this reason: That it is bound to hit Democrats as well as Republicans if there are any Democrats carrying the mail now.

Mr. FESS. Mr. Foulke, of the gentleman's State, a former member of the Civil Service Commission, has made a statement that I have in my possession, to the effect that there are 43,716 rural carriers, and that this plan will really produce vacancies

which will eliminate all of those people. This plan opens up to the spoils system an army of Government servants on an average salary of \$1,089—over \$43,000,000. Against this serious tendency, the Civil Service Commission has protested. Such regulation as would discriminate against these old carriers can have but one explanation. Now, I think there is not any doubt, I will say to my friend from Indiana, that that very fear is in the mind, not only of myself, but of himself, only it is not a fear in his mind as it is in my mind. The gentleman rather accepts it.

Mr. COX. Has the gentleman any evidence to that effect, or is it to him solely a fear that something is going to take place?

Mr. FESS. I heard the gentleman say some years ago on the floor of this House that something like 85 per cent of the carriers belong to one party, and that the civil-service law had not been observed as it ought to be in spirit; and I take it from what he said that there is going to be a change, to right what he claimed was a wrong, under this phase of the reorganization. I am putting it as I remember his statement.

Mr. COX. The gentleman understood me correctly, except that it was 95 per cent, as far as the State of Indiana was concerned. I am a little bit leery and worried for fear that my fear has been delayed too long by the department.

Mr. FESS. I think that is a very frank statement. There has come into my mind the thought that the department, instead of working for efficiency and economy, as so loudly proclaimed, is working for a policy of motorizing not the routes but the carriers. This is what I have charged. If it is true, it can not be justified on the mere assertion of Members of the House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. I will yield the gentleman three minutes.

Mr. GRIEST. I yield the gentleman one minute more.

The CHAIRMAN. The gentleman from Ohio is recognized for four minutes.

Mr. FESS. I thank the gentlemen. I wanted the extra time simply to finish a statement that I started to make a moment ago. If it is efficiency, and we can prove it, I have no further contention. But I am sure it can not be that. One hundred and twenty families inconvenienced is wrong. Any change should be for the better—not for the worse. Think of compelling a man who wishes to send a parcel or a registered letter or a money order to go a mile and a half to do it. This is not to be tolerated, if it can be avoided. Then, on the other hand, if it is economy, I have some contention on that score, for I do not believe that this body ought to begin to economize or retrench in the Rural Mail Service. It is the service that has the direct relationship of the town, the country, and the farmer to the Government, and it is the only kind of Government service that the people are paying for directly. It is probably the only kind where, as I am served, I pay for it—not in the full sense, it is true, because it has not been altogether self-supporting. I believe that this House—every Member of it, without regard to party—would say that we should not economize to the point of making inefficient the services of the mail matter. [Applause.] If economy is needed, let us begin it in some other line; but let us not in the interest of economy go to the extent of depriving the people, the rural community, of efficient mail service in a time when they need it most.

Mr. MOON. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. MOON. If the department, by doubling the length of the route, having one carrier instead of two, can give as good and efficient service to the public as they did when they had two, would it not be good policy to do it?

Mr. FESS. I am rather inclined to say, if the gentleman's premises are correct, that I would agree with him.

Mr. MOON. That can be done where the roads are good and can not be done where the roads are bad.

Mr. FESS. I think that can be done where the roads are good.

Mr. MOON. And in order to do this they must experiment to some extent, and I suppose in some cases the experiment does not work out well.

Mr. FESS. It has not worked out well in our section.

Mr. MOON. After having experimented in the economy and not accomplished the result, the experiment must go further, in order to readjust the routes, on the old basis or some other basis, so as to give the people good service. Is not that correct?

Mr. FESS. I suppose so.

Mr. MOON. That is all the department is doing.

Mr. FESS. I think we have gone far enough already to prove that it is absolutely impossible to make an efficient service with the motors; and therefore, as far as I am concerned, I

want to protest against going further than what has already been done. Some of our people have already attempted the motors before the law would require it, and they simply could not do it even on the short route. It has been tried in my district, and my county has good roads.

Mr. MOON. It may not have worked well in the gentleman's case, but in many cases it has.

Mr. GOOD. Will the gentleman yield?

Mr. FESS. Yes.

Mr. GOOD. I want to say that in my district an old soldier had been a rural mail carrier for 11 years. He carried the mail every day; never missed a day on account of sickness. He had the best record of any carrier in that town. The routes were readjusted, and, although, his route was not changed at all, another carrier from another route was put on, a young man designated to take the place, and the old gentleman was dropped entirely from the service. After about two months of experiment it was discovered that the experiment was a failure, and now the old soldier asks to be reinstated. He is told that he can not be reinstated, but a young man who is a Democrat has been appointed to succeed him. Does the gentleman think that that is in the interest of efficient service?

Mr. FESS. No; I do not.

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

[Mr. FESS had leave to extend his remarks in the RECORD.]

Mr. FESS. I herein submit the following resolutions from my district:

Whereas it has come to our notice through the press and through the official notices from the Post Office Department that on March 31, 1916, the present rural routes out of Cedarville, Ohio, will be discontinued; that such change will make it impossible for some of our patrons to receive their city and county daily and weekly papers until nearly 24 hours after publication, much against the wishes and desires of the patrons: Therefore be it

Resolved, That we, the rural free delivery patrons of the Cedarville, Ohio post office now assembled at the annual farmers' institute, do hereby go on record in opposition to the proposed plan, in that we desire to receive our mail through our local post office in Cedarville, the center of our commercial, social, religious, and educational activities; and be it further

Resolved, That said routes as now planned will not give us the service we had in the past, as many of our patrons will not be able to get the mail on their own premises, and that the great majority of the patrons will not receive their mail until late in the day; and be it further

Resolved, That the routes as now planned will not permit the use of automobiles over much of the road during the winter season, as experienced by the present drivers, who have not been able to cover their routes of 25 miles a day by automobiles owing to these conditions. Thus through the present plan of additional 25 miles or more it makes the proposed routes impracticable in this community; and be it further

Resolved, That this institute heartily favors and indorses any plan that will be the means of having our mail distributed through our local post office which will insure the same satisfactory service we have enjoyed in the past; and be it further

Resolved, That the Post Office Department send an inspector into this section before the 1st of April that conditions may be investigated as to the feasibility of the proposed routes; and be it further

Resolved, That copies of these resolutions be forwarded to our Senators, Hon. ATLEE POMERENE and Hon. WARREN G. HARDING, and Congressman S. D. FESS, respectively, to be filed with the Post Office Department, and ask that they use their best efforts in behalf of the rural free delivery patrons of the Cedarville post office toward the relief prayed for in these resolutions.

HUGH TURNBULL,
President Farmers' Institute.
J. OLIVER JOBE,
Secretary Farmers' Institute.
G. E. JOBE,
O. E. BRADFUTE,
Committee.

BELLE CENTER, OHIO, February 5, 1916.

Hon. S. D. FESS,
Washington, D. C.

DEAR SIR: The annual session of the farmers' institute just held in our town unanimously adopted the following resolution:

"Realizing that efficient rural mail-delivery service as now in force is without doubt of more value to the farmer than any other department of Government work, we therefore oppose all legislation tending to change the service from its present efficiency by motorization, as proposed by the department."

Hoping you will use your influence in opposing the present plan to motorize all routes, and thanking you in advance for the same, I remain,
Yours, truly,

J. M. LIGGITT.

URBANA, OHIO, January 29, 1916.

Hon. S. D. FESS.

DEAR SIR: Our grange went on record as being opposed to the bill consolidating the rural mail routes and using motor vehicles instead of horse and wagon.

Our country roads are impassable for automobiles at this time of year, and they would not be practical for mail routes.

I have been authorized to ask you to use your influence against the bill.

The horse and wagon are giving good satisfaction.

Yours, truly,

[SEAL.]

L. H. BARGER, Secretary.

I also submit the following petition, signed by 94 bona fide voters in Greene County:

Hon. S. D. FESS,
Washington, D. C.

DEAR SIR: The undersigned residents of Spring Valley and vicinity, desiring to emphatically express our disapproval of the contemplated changes in the rural routes of Greene County, do hereby petition you to use your influence in every possible way to prevent the post-office authorities from making such changes.

We wish to remind you that such changes would result in the most unjust and unfair discrimination in favor of the larger towns and cities against the smaller towns and rural communities. These smaller towns and rural districts form the backbone of our great country, whose people boast of a government of the people, for the people, and by the people, while we are drifting toward a government of the cities, for the cities, and by the cities.

We wish to protest against any policy or legislation that favors the cities against the rural districts, and we trust and expect you as a representative of our interests to give our request your earnest and active support.

XENIA, OHIO, February 3, 1916.

Hon. S. D. FESS.

DEAR SIR: We, the members of Greene County Pomona Grange, urge you to do all in your power to retain the present rural mail routes as they are, and by unanimous vote beg to offer the following resolution: "Resolved, That the present system of rural mail delivery is very efficient and satisfactory, and we emphatically denounce the proposed lengthening of the Greene County rural routes."

C. C. GRAFF,
ALBERT BURRELL,
JOS. T. HUTCHISON,
Committee,

Per JOS. T. HUTCHISON,
Secretary of Greene County Pomona Grange.

THE EXCHANGE BANK,
Cedarville, Ohio, February 5, 1916.

S. D. FESS, Esq.,

Representative from Ohio, Washington, D. C.

DEAR SIR: We hereby certify that the inclosed petition is an exact copy of the original petition that we have placed on file in the office of S. A. Burleson, Postmaster General, Post Office Department, Washington, D. C.

We request your support in this matter, and thanking you for the favor.

Yours, very truly,

O. L. SMITH, Cashier.

CEDARVILLE, OHIO, February 5, 1916.

S. D. FESS, Esq.,

Representative from Ohio, Washington, D. C.

DEAR SIR: We, the undersigned citizens and business men of Cedarville, Ohio, respectfully enter our earnest protest against the proposed change in the Rural Delivery Service as it affects Cedarville for the following reasons:

First. It will be detrimental to our town as a trade center. In this respect it will affect every business interest as well as our social and intellectual interests.

Second. It will greatly inconvenience our citizens and business men in communicating with friends and patrons. At present we can reach them in an hour or so; under the new system it will take at least 24 hours or more for mail to reach friends within one-half mile of town.

Third. The proposed change will be detrimental to community interest in every way, and, so far as we can see, will add nothing in the way of economy or efficiency to the service.

Therefore we respectfully ask that the order changing the rural delivery system at Cedarville, effective April 1, be rescinded.

O. L. Smith, cashier, the Exchange Bank; L. H. Sullenberger, miller; G. H. Hartman, clothier; T. V. Iliff, mason; W. C. Iliff, contractor; S. C. Wright, teacher; C. C. Morton, teacher; Geo. A. Shroades, hardware; G. Y. Winter, clerk; L. D. Parker, teacher; A. G. Eveleth, tinner; W. A. Turnbull, merchant; Leo Anderson, veterinary; Jacob Slegler, baker; Leroy Allen, teacher; C. H. Stormont, farmer; C. E. Hannabery, auto dealer; Leroy Henderson, farmer; J. M. Willoughby, merchant; Fred Clemans, farmer; S. Frank Creswell, farmer; Geo. H. Creswell, farmer; Frank S. Bird, dry goods; W. B. Stevenson, farmer; R. P. McLean, mayor; J. W. Dixon, dentist; M. W. Collins, real estate; James S. E. McMichael, pastor, United Presbyterian Church; Miron L. Marsh, physician; J. C. Barber, dry goods; D. M. Dallas, laborer; F. A. Jurkat, teacher; O. E. Bradfute, farmer; Howard Turnbull, farmer; Prestley Townsley, student; Burdell Creswell, paper hanger; W. C. Williamson, farmer; C. C. Saum, engineer; C. M. Crouse, merchant; J. W. Ross, janitor; J. O. Stewart, physician; E. H. Crow, farmer; T. N. Tarbox, painter; A. E. Richards, druggist; Andrew Winter, farmer; J. E. Hastings, merchant; James L. Chestnut, pastor, Reformed Presbyterian Church; Aaron H. Ellis, retired; J. W. Johnson, jeweler; W. H. Barber, farmer; A. Z. Smith, superintendent, Hagar Paper Co.; Karth Bull, editor and publisher; F. W. Welmer, farmer; Ralph Wolford, wood worker; C. H. Gordon, straw buyer, Hagar Paper Co.; Hugh Turnbull, farmer; Paul H. Creswell, farmer; J. W. Picking, bricklayer; R. L. Jones, electrician; A. B. Creswell, decorator; J. G. McFarland, hardware; W. A. Collins, farmer; H. A. McLean, marshal; W. H. Owens, blacksmith; D. B. McElwain, farmer; F. P. Hastings, merchant; Jas. H. Andrew, merchant and farmer; A. D. Townsley, contractor; J. E. Mitchell, clerk; W. J. Tarbox, lumberman; Robt. Bird, general merchandise; A. J. Hinton, restaurant; H. A. Townsley, carpenter; J. H. Stormont, farmer; H. Parks Jackson, minister; Andrew Jackson, insurance; Wm. Conley, farmer; W. R. McChesney, president, Cedarville College; J. Harry Nagley, funeral director; C. W. Dean, carpenter; Bert Myers,

clerk; Frank Owens, painter; W. L. Clemans, real estate; Jos. W. Patton, pastor, Methodist Episcopal Church; F. B. Turnbull, farmer; W. D. Sterrett, student; Burton McElwain, farmer; J. Lloyd Confarr, merchant; John W. Collins, student; David C. Bradfute, student; Paul D. Butcher, farmer; Walter Graham, farmer; Chas. Graham, farmer.

Families who have heretofore had rural service who are to be left out in the motorization of the rural service at Xenia, Ohio.

ROUTE A.	
Southwest of McPherson corner.....	1
Gage corner.....	1
McClellan corner.....	1
Soward corner.....	3
Belt retrace.....	1
Zell corner.....	4
North of Sears corner.....	2
North of Watkins corner.....	5
Spring Valley and Centreville Pike.....	5
Total.....	23
ROUTE B.	
Between Hess and Allen corners.....	3
West of Spratts corner.....	3
Taylor's corner.....	1
Immediately east of Bellbrook.....	1
Between Burrell and Conklin corner.....	1
Total.....	9
ROUTE C.	
Ludlow Schoolhouse.....	3
Black Road.....	4
Germantown Road.....	2
Beaver Creek Road.....	2
Yellow Springs and Byron Pike.....	1
Total.....	12
ROUTE D.	
Washington Road.....	6
Wilmington Pike.....	1
Copsey retrace.....	2
Shane retrace.....	2
Jamestown and Waynesville Road.....	3
St. John Road.....	3
Stone Road.....	4
Near Bookwalter Schoolhouse.....	1
Hussey Pike.....	1
Total.....	24
ROUTE E.	
Jamestown and Paintersville Road.....	2
Hagler Road.....	2
Hoop Road.....	2
Total.....	6
ROUTE F.	
Cedarville and Jamestown Pike.....	3
Jamestown Pike between Arnolds and Darlings.....	2
Between Mangans and Shigleys.....	3
Dean Road.....	2
Total.....	10
ROUTE G.	
Bradfute Road.....	4
Nash Road.....	2
Wilberforce and Clifton Pike.....	5
Total.....	11
ROUTE H.	
East and West Road south of Yellow Springs.....	5
Road from Forbis corner to Clifton.....	5
Clifton and Cedarville Pike.....	2
Reif Road.....	5
Between Stevensons and Corrys corner, Yellow Springs and Cedarville Pike.....	3
Northwest of Corrys corner.....	3
Total.....	23
RECAPITULATION.	
Route A.....	23
Route B.....	9
Route C.....	12
Route D.....	24
Route E.....	6
Route F.....	10
Route G.....	11
Route H.....	23
Total.....	118
Average.....	15

I submit just a very few of the newspaper editorials from the newspapers of the district:

[From the Xenia Gazette.]

THE RURAL-ROUTE BLUNDER.

This motorization of the Rural Mail Service looks very much the usual style of Democratic blundering in the matter of conducting the business of the Government. Instead of being an improvement, the loud complaints from those interested show that it promises to be a

backward step in the matter of rural service of the mails to the farmers.

With executive ability of such Postmaster Generals as John Wannamaker and under the Presidencies of Roosevelt and Taft the Post Office Department had arrived at a degree of efficiency that spelled almost perfection. Now we find a disposition to inaugurate changes that instead of being better are promising to be much worse, and to the great inconvenience of the people. Thus it has ever been under Democratic rule in this country—abolishing competent conditions and introducing experiments, which have always proven inefficiency.

If the Post Office Department wanted to do something for the real improvement of the rural mail routes of Greene County, why did it not leave the routes as they are, and simply inaugurate the service by motors, so as to give more prompt delivery of mail to the farmers, with the provision that in bad weather the present vehicles could be used instead of the motors. With a little additional pay to the carriers for the upkeep of the motors, this would have been satisfactory all around, instead of upsetting the whole system of rural delivery, as has now been done.

In the single matter of requiring a change of the post-office address of, say, persons who from time immemorial have been getting their mail at, say, Jamestown or Cedarville, but now requiring having to be addressed at Xenia, is a condition that is absurd and distasteful and highly displeasing to hundreds of people. And, of course, the same nonsensical and unreasonable and unsatisfactory condition applies all over the country, wherever the Government is thus attempting to disarrange the Rural Mail Service in this way.

Then, again, think of the hundreds of persons who have heretofore been getting their mail right at their front doors, who will now be required to go long distances to reach their mail boxes, often in bad weather, and you can imagine the mutterings of dissatisfaction that will be vented upon the department. Some of these trips have often necessarily to be made by children, whose safety will be feared. It is simply too bad.

As to the saving in expense, as claimed by the department, many think there is nothing in it, on account of the increased pay that is to be allowed to the motor carriers, but even if a few dollars is saved it is at the expense of discommoding a large class of people. Is this wise?

When a great Government undertakes to serve its citizens it is unseemly to attempt to do it in a niggardly manner. That is not the reputation which Uncle Sam has always had. But we have fallen upon Democratic days, and we suppose we must take our medicine until we can make a change.

[From the Piqua Daily Call.]

MIAMI COUNTY FARMERS READY TO FIGHT AGAINST MOTOR RURAL CARRIERS—ASSERT NEW PLAN WILL BE COMPLETE FAILURE BECAUSE OF MUDDY ROADS.

A widespread feeling that only needs a leader to kindle into flame of general protest lurks in the hearts of Miami County farmers, aroused and angered by the proposed change in the Rural Mail Service. Motorization of mail routes may be pleasing news to automobile manufacturers and Democrat Party leaders, who, under the guise of bettering the mail service, plan to snatch the positions of Republicans now in the public service and give them to Democrats, but it is not pleasing news to the rank and file of the country's populace.

The Rural Mail Service has been built up by years of careful study and arduous labors. It has not reached a stage of perfection, but those who are served by it do not think the service will be bettered by removing the number of carriers from service and replacing horse-drawn vehicles by automobiles, which at their best are never reliable.

The consideration of the proposed change is not local to any one spot in the county, but it comes from all sections. From the environs of Bradford, Troy, Covington, and the vicinity of Piqua come complaints.

As a prominent Miami County farmer said last week, "The Democrats are planning to disconnect us from the world for 24 hours; they will make our mail a day later."

"Can you imagine a person traveling 50 or 60 miles over the roads in Miami County as they are to-day and making the trip in one day?" said another farmer. "On almost any road you take you will find abandoned wagons and in several places automobiles that are stuck deep down in the mud," he continued.

It is a significant fact that not one of the present six rural mail carriers out of Piqua took the examination to become motor carriers. They know the plan is not feasible—that it will be a failure. They travel the roads to be traveled every day. One of the carriers recently said, "An automobile could not get over my route in two days, let alone one day."

The Postmaster General has been smart enough not to make the change in the dead of winter, when the roads are the worst. Instead, he plans to make the change late in the spring, when the roads will be passable again. The greatest discomfiture will not be caused until next winter. By that time the Post Office Department hopes that the farmers will have forgotten about horse-drawn vehicles.

Here is what United States Senator WARREN G. HARDING, of Ohio, has to say on the matter:

"Apparently," said he, "a very considerable part of the reorganization of the rural service that is going on is designed for the purpose of ousting Republicans and putting Democrats in their places. It never will be accomplished without a thorough airing of all of the purposes behind the plan."

The 13 Ohio Republican Members of the House are starting the ball rolling in the lower branch of Congress by drafting a resolution, which is now ready for introduction, calling upon the House Committee on Post Offices and Post Roads to investigate the alleged prostitution of the rural service to political purposes. The plan is to spring the resolution in the House and ask unanimous consent for its immediate consideration, and, if that is refused, to force a vote on a motion to take the resolution up, thus placing Members on record. Several other Republican State delegations are reported to be ready to join Ohio in this insurrectionary movement.

The following resolution, backed by the solid Republican membership of Congress from Ohio, has been introduced in the House by Representative ROSCOE McCULLOCH, of the sixteenth district:

"Resolved, That the House instruct the Committee on Expenditures in the Post Office Department to investigate at its earliest convenience the purposes and probable results of the proposed motorization of the Rural Mail Service."

[From the Cedarville Herald.]
WILL OPPOSE ANY CHANGE.

That the people of this community, as well as the other towns in the county who are interested in the proposed rural free delivery changes, will oppose the Post Office Department plan is certain. So dissatisfied are the patrons that no effort will be spared to check the change or know the reason why.

If we were to view the situation from a political standpoint entirely we should say that the Republicans have nothing to lose and the administration in power would be held responsible, and neither the tariff, prohibition, woman's suffrage, preparedness, nor any other political issue will keep the outraged patrons, irrespective of political views, from voting solidly against the return of the present administration.

But there is more than politics in this question, and that is the inconvenience of a service that will affect rural free delivery patrons each day. Men who have been lifelong Democrats openly declare their refusal to again support the party if their postal rights are to be turned over to some other post office than their home town.

The claim of the department is the enforcement of economy, but no account seems to have been taken of the service to the public or whether the plan can be worked out in this community. Anyone familiar with the proposed routes is convinced at once that the plan is not practicable in that the carriers now require about 7 hours for 25 miles over roads where it is impossible to send an automobile.

If the department had centered the three routes in two and started them from this place there might be some chance for decent service, and even then during the winter months this would have been impossible.

The business interests here will feel the change keenly if it is allowed to be put in operation. It will mean the diversion of business belonging here into other channels. No longer can the patrons call their local merchant and have some article sent on the morning mail. It would, under the new plan, have to be sent the day before.

The interests of all our people are at stake, and not particularly Republicans or Democrats. The Democratic administration is responsible for the change; it will be this administration that will pay the price in November, 1916, and Democratic voters on the three routes are going to do their part on that day.

[From the Piqua Daily Call.]

READJUSTING RURAL MAIL DELIVERY.

The Post Office Department is said to be getting many complaints about readjustment of rural mail routes. The Government is trying to extend the service still further without increasing costs. That means rearranging the routes so as to take in more territory. It will be a problem to meet all the conflicting demands from localities and patrons.

When the service first started carriers got only about \$300 a year. Now they have become an important body with political influence, and are usually paid about \$1,200 a year. As they have to furnish their own teams or automobiles, this may not be too much. But with the tendency of Government jobs to be soft, the department should see to it that it gets a fair and reasonable day's work in every case.

It must be enormously difficult for men in an office at Washington to sit down at their desks and arrange everything in a practical way. A route may look perfectly good on the map, but if it may be composed of roads so rough or hilly as to be impracticable.

No one wants to be at the tail end of a route and unable to get his mail until late in the day. Few people like to receive their mail from a route running out of some distant post office, as they have to give their correspondents an address previously unknown, which causes confusion. This also is often unpopular for reasons of sentiment.

If the carrier starts on his work early, he misses newspapers and mails that he ought to deliver. If he starts late, the patrons grumble at the delay. To the man sitting at the desk in Washington this conflict of interests must seem impossible to reconcile.

The patrons should keep in mind the enormous cost of the service and be careful not to ask too much. It is, of course, desirable for business reasons that a farmer should get his mail in season to answer important letters the same day. But in most cases this is not vital. Even if the lonely farm house does not get its newspapers and mail until the evening lamp is lighted, the Government is still rendering it a wonderful and incomparable service.

The Troy (Ohio) Daily News of January 13 prints the following under a Washington date line:

Charging that the extensive reorganization of the rural-route service in Ohio, with substitution of motor routes for horse-drawn vehicle service, is a grand scheme to get Republicans out of their jobs and to appoint Democrats in their places, Representative SIMON D. FESS will go before the House Committee on the Post Office and Post Roads to-morrow to protest against proposed route changes in his district. The doctor intends to do some plain talking. "Democratic office seekers have at last found a way to pry open the Rural Mail Service," said the doctor, "and having burgled their way into the civil service they are eligible after one year for transfer into the clerk or carrier service of post offices or into the Railway Mail Service. The discovery of the way to do this comes just in time to reward deserving Democrats just prior to the presidential campaign."

[From the Xenia Daily Gazette.]

WAR DECLARED ON ADMINISTRATION'S POST-OFFICE POLICY.

WASHINGTON, February 5.

War has been declared on the administration's conduct of the Post Office Department by nearly a hundred Members of the House. Before the administration gets its supply of money for the conduct of the department for the next fiscal year, there is promised some oratorical and political fireworks in Congress, with set pieces to demonstrate that Postmaster General Burleson and his aids have failed to maintain the Postal Service and have cut down the efficiency of the mails in order to make an economy record.

The men in Congress who represent the real "peepul," the men from the districts where the agricultural population predominates, are the leaders of the movement against the department. They are rampant in their demands for a change in post-office methods, and they particularly denounce the conduct of the Rural Free Delivery Service.

In their search for means of cutting down expenditures, the efficiency experts of the administration in the Post Office Department hit upon the Rural Free Delivery Service as one of the most available places to

begin pruning. Reorganization was decided upon. There were not enough post-office inspectors available to go into the field and make a survey of the service, with a view to reorganization, so the maps of the various States were brought forth and clerks were set to work, combining routes, cutting out routes, and generally changing things. It saved money and it gave the rural carriers something to do.

But since Congress has been in Washington the department has heard a different verdict on the reorganization. Members of Congress, bombarded with letters from back home, have besieged the department, demanding to know what has happened to the Rural Service. Farmers are writing to their Congressmen, asserting that they can not get their mail, that they can not use the parcel post, and that deliveries are uncertain or are never made.

A delegation of rural representatives descended on the House Post Office Committee and served notice that the Post Office appropriation bill will be bitterly fought unless something is done. The committee almost immediately agreed to increase the appropriation for rural-carrier pay submitted by the department, by some \$5,000,000. A dozen bills prescribing what shall be a maximum rural route have been introduced, and there is a good chance that one of them will find its way to the statute books.

The Democratic administration undertakes to defend itself on the steps to motorize the rural carriers, and has chosen Senator POMERENE as its mouthpiece in Ohio. I here submit an editorial from the Xenia Gazette on this defense:

A BRAVE MAN.

Senator ATLEE POMERENE is a bold, brave man to come to the relief of the Post Office Department in its troubles ament the motorization of the rural routes. It is to be feared that the Senator is more brave than discreet, for the subject is loaded.

The Senator says there will be 31 Greene County families served by the new method who were not previously served. Granting, in the absence of knowledge, that this is correct, it easily would be possible to point out three times that number who have been receiving mail at their own doors who now must go from a furlong to a mile after it, to say nothing of the hundreds of farmers whose address is changed and whose mail will for years be subject to the delays incident to that fact.

There was a plain and obvious method of motorizing the mail service which would not have cost a cent to install, which would not have discommoded a single patron, which could have provided for the 31 additional families, and which would have effected the same saving of expense which is the department's ostensible motive for motorization. It would have been merely to take the service as it stands and provide for the serving by auto-vehicles of two of the present routes by one carrier. This could have been done either by throwing the routes together and letting the carrier lay out the method of service or by providing that he should take one route in the morning and the other in the afternoon. Experience shows that the mail on a single 25-mile route can be routed and delivered by means of a machine in less than four hours. By making one route in the morning and the other in the afternoon, the two routes could be handled easily by one carrier; and in case of extreme weather, when not able to serve by means of automobile, one of the routes could be assigned to a substitute carrier, and the work could go on as at present by means of horse and wagon. In the case of the afternoon route, while the delivery of the morning mails would be somewhat delayed, yet not more so than is proposed for half of the patrons by the present motorization schemes; but there would be the advantage that by the carrier returning to the office he could carry out the later morning mails, thus giving the afternoon patrons quite as good service after all as those of the morning route.

And it need not have been necessary to dismiss all of the present carriers. Half of them could and should have been retained. However, that is to all appearances the real meat of the Post Office Department's plan. The motorization of the rural routes is simply a pretext for the dismissal of the old carriers and the appointment of Democrats in their places. There is no better excuse for it.

I here submit a list of persons who will be affected by this change in service.

LONDON, OHIO, November 24, 1915.

Hon. S. D. FESS, M. C.

DEAR SIR: We, the rural carriers of ——— County, met and passed a resolution that I should write to you and ask you to consider a question of great importance to all the rural population and of vital importance to us.

About two weeks ago we received word in this county that an examination would be held to qualify carriers for routes of 50 or more miles from the post offices of this county. We understand that all of our routes will be revised and motor service established.

We do not think it is possible to give service with a machine all of the year over 50-mile routes on our roads, or even over 25 or 30 miles, as we now have. Some of the carriers are using machines, but lay them aside for a part of the winter months. What could they do over 50 or more miles? I am one of the motor-cycle boys that will have to give up the motor cycle the first of the year.

In our talks with the patrons along the routes we find that they are not in favor of the 50-mile service, for they know the condition of the roads. They do not want any changes that will deprive or curtail their mail service in the least, even on this economy plan of the Postmaster General. A number of them have offered to circulate petitions not to have the service changed, knowing that the carrier has enough to do now to be efficient.

Efficiency they want, rather than economy that will delay their mail or cause them to go to a crossroad after it.

We therefore ask you to consider this question (as we know you have) and when Congress convenes this next month do whatever you can to relieve the situation. We see that the rural-mail problem is one of the questions to be brought up early in the game.

We feel that you are with us on this question and that it will be unnecessary to get these petitions out, but, however, if you would like to have them, we will see to it that the patrons go ahead and send them in to you.

Thanking you in advance for any interest that you may take in this matter, we are your supporters and servants of the people on our routes.

Yours, and obliged,

THE ——— COUNTY RURAL LETTER
CARRIERS' ASSOCIATION.

JANUARY 25, 1916.

Hon. S. D. FESS,
Washington, D. C.

DEAR SIR: I was very much pleased to know that you are interested in the welfare of the rural-route carriers and their patrons. Our county is to be motorized April 1. As a carrier of 10 years' experience, I am satisfied that the thing will not work. I am using an auto right now, and I find that my route of 22 miles with the many stops one has to make is nervous strain enough without any more mileage. I am in hopes that Congress will take some action in the matter, and if I read the action of the Committee on the Post Office and Post Roads correctly, they are inclined to help us.

If not too much trouble, wish you would give me some insight to what may be the action of the committee and Congress relative to motor routes.

My wife was a student at Ada when you were there, and for that reason I am taking the liberty to write you.

Respectfully,

JANUARY 28, 1916.

MY DEAR FRIEND: I am glad to have your approval of our opposition to the proposed rural change. The activity started against this project has not only comprehended Ohio but it has reached the other States, whose representatives are daily complimenting me for what we are doing. I can not at this time be sure of results, but one of the Ohio delegation will present a resolution which I prepared and will make a strong presentation. We are not going to allow this thing to be done quietly.

Thanking you for writing me and asking to be remembered to my friends, including your wife, I am,
Yours, very truly,

Letter from a carrier in the seventh district:

Hon. S. D. FESS,
Washington, D. C.

DEAR SIR: Having seen in different papers your articles in regard to the Rural Mail Service, I take the pleasure to write you to thank you and hope something may be done to stem this tide of false economy in the department's plans in regard to the rural free delivery. I know enough in regard to the work (having served nine years)—that there is only a good living as it is, and time a man would have to buy a machine and the upkeep on a 50-mile route he would not make as good a living out of it as he does now.

No examination has been ordered for here, but as it is all around us we are living in dread fear that ours will be next. Only living with work a week or so ahead makes it mighty hard with a man who has a family to keep and a home only partially paid for. Must lose home if I lose my work. Sad prospect.

The carriers are opposed to it at this place, and my patrons say they do not want a change. Are satisfied, as they believe the rural free delivery is the only return they can see coming back to them. In this session of Congress, when the bills that have been introduced come up in favor of the old carriers who are giving their best to the service, we want you to know we are giving you our support, and all we ask you to do is to fight for us by using your influence and vote.

Yours, truly,

The following are letters from patrons of the routes, business men and farmers:

CEDARVILLE, OHIO, January 17, 1916.

Hon. S. D. FESS,

DEAR CONGRESSMAN: I am inclosing resolutions that were passed January 14 and 15 at the recent session of the farmers' institute. I do not recall anything so recently that has disturbed the farmers of our vicinity so much as the order that came to our postmaster last week that the present Rural Free Delivery Service will cease to be the same on the close of March 31. These resolutions have my hearty support, not because I happen to be one of the committee but because I am a patron of the rural free delivery at the present time and under the present arrangement. I am 5 1/2 miles from our post office at the present. I will be 22 miles from the post office, as the route G, the new route, will come to me. I can call at the office any time I happen to be in Cedarville and get my mail, a thing I often do on account of convenience, and I do not think I would care to go to Xenia to get some expected mail that I wanted and had not come to the office after the postman had gone. The present route is 27 miles; the new one is to be 34. Our carrier uses a machine to carry his mail when the roads are in condition. For three weeks he has not had his machine out on the route. I have seen the time it was almost impossible to go over the route with his horse and wagon, and it often happens that he can not get through with it under any circumstances. How will the motorized routes be able to double the territory that our present postman can not do now.

I think it will be a detriment to our business. After being established so long at a given place and now changing your residence, will it not be a detriment? I do not see how it will improve the Post Office Department at Washington; we are having a good and efficient system and why trade it off for an untried and overburdened one. If a change is to be made, why not combine the three present Cedarville routes into two routes, and then we can all get home service. One other thing that is hinted at in the resolutions; some of the patrons will not get service at their homes as now. I will mention Mr. O. E. Bradfute; he will have to go a mile to get his mail. He also told me there would be a number of his neighbors would have to do the same thing. I hope you can in some way intercede to have the order revoked. I fully know that ordinarily the road for you to act upon is on the other fellow's territory, politically speaking; but the people are the Government and I am sure somebody in Washington will hear from this section of the country, and anything you can do will be appreciated by your friends. This copy of the resolutions I am sending you are copied from the original, and I have written them off and also taken the responsibility to also copy the signatures of the different persons.

I am, yours, truly,

G. E. JOBE.

LONDON, OHIO, January 22, 1916.

Hon. S. D. FESS,
Washington, D. C.

DEAR SIR: Owing to the condition of our roads about three months in the year, and being engaged in the automobile business, I feel that I am qualified to express an opinion on the subject of the rural mail carrier's job.

It is simply impossible for any car or any man to carry the mail by automobile 12 months in the year over our roads, and the fact that the trips are to be doubled makes it so much the more impossible. I had cars out yesterday and the drivers had to run on second speed nearly all the time, and first speed part of the time.

Hoping you will continue to fight against the proposition, I beg to remain,

Yours, truly,

M. L. BURNHAM, Mayor.

QUINCY, OHIO, January 24, 1916.

Hon. S. D. FESS, M. C.,
Washington, D. C.

DEAR SIR: We have been reading in the papers the stand you have taken in regard to motorizing mail routes and we wish to commend you for the stand you have taken. Our business is to deal with the farmers from the rural districts, and nearly every man thinks you have taken the right stand; they figure with the bad roads we have in some places they would not get their mail more than three days in the week, and they are well satisfied the way the rural routes are at present. Again we commend you for the stand you have taken, and we would also urge you to vote to submit prohibition to the States.

Yours, very truly,

THE QUINCY GRAIN CO.,
Per W. A. NISONGER.

CEDARVILLE, OHIO, January 17, 1916.

Hon. S. D. FESS,
Representative of Seventh District.

DEAR MR. FESS: I would respectfully ask you to use your influence to oppose the rural free-delivery changes in this county as proposed by the Post Office Department. We pay taxes on 235 acres of land, and the proposed change will not give us any benefit of the Rural Free Delivery Service. We will be compelled to go over 1 mile for our mail. I am a breeder of pure-bred stock, also president of the Green County Agricultural Board. The changing of my address and delay of mail would be a great business inconvenience.

Very respectfully, yours,

S. T. BAKER.

A staunch Republican, who has always supported you.

CEDARVILLE, OHIO, February 5, 1916.

Representative FESS,
Washington, D. C.

DEAR SIR: In regard to the proposed plan of motorizing the mail routes of our county I wish to be numbered among those who are opposed to such a plan.

Respectfully, yours,

HOWARD HARRISON.

CEDARVILLE, OHIO, February 5, 1916.

Hon. S. D. FESS,
Washington, D. C.

DEAR FRIEND DR. FESS: As a town and community we are very earnestly concerned about the new postal regulations for rural free delivery. We feel that Cedarville is not being given a fair deal, and I personally thank you for registering a protest. If we must have motorization, at least let one of our routes go out of Cedarville, so we may be found on the map and our individuality as a community not wholly wiped out. I shall not presume to suggest remedies, for you know them by heart. I do assure you, however, that this letter voices the sentiment of every citizen of Cedarville and all rural free delivery routes connected therewith, and if this order of the Postmaster General is carried out our people will do something to try to correct it. I simply write to let you know we approve of your course.

Very truly, yours,

MIRON I. MARSH.

PLAIN CITY, OHIO, December 3, 1915.

Hon. S. D. FESS,
Washington, D. C.

DEAR SIR: On December 11 our county (Madison) will hold an examination for the establishment of motor routes, and no doubt you have had protests and petitions from many.

I was postmaster at this place for four years just past, and I think I am in position to judge the condition and outcome of such a change. It is my honest opinion and belief that a change from the present system of the Rural Delivery Service would greatly impair the efficiency of a well-organized system in a great many ways. It would change the carriers' schedule in the morning from one to two hours later, and that would delay the farmers' outgoing mail several hours. It now leaves at 1.40 p. m. The length of route (50 miles) on the roads such as we have in Madison and Union Counties means irregular mail service for the farmer, and I do not think the carrier can make the extra mileage for the extra compensation allowed. To me that will mean new carriers every so often, besides many other things which will come up. It looks to me like a very unwise move on the part of our department officials to economize by beginning on the farmer, when they should be the last ones on whom to economize. The Rural Delivery Service has been one of the greatest conveniences ever established for the American farmer by our Government, and he should be encouraged instead of discouraged. The Rural Delivery Service has been the means of revolutionizing the farm life and has made things worth while. Now, to have it disarranged for the saving of a few dollars certainly is not the object of our great Government. I hope you will feel as I do in this matter and at once help to put a stop to our Postmaster General's economy idea for the benefit of our farmers and the well-regulated routes from the towns in Madison County.

Very truly, yours,

CHAS. WILSON.

COOK, OHIO, November 30, 1915.

Hon. S. D. FESS,
Washington, D. C.

DEAR SIR: We who are patrons of the rural free delivery are dissatisfied with the changes being made or about to be made in the Rural Free Delivery Service.

Routes are to be lengthened, portions of routes abandoned, which we are satisfied will result in an uncertain and limited service. When so much is being said and written about keeping people on the farm, when we are needing more producers and less consumers, when each year sees an increasing number leaving the farm for the town and city because of the loneliness of country life, it would seem a poor policy to tamper with the Rural Free Delivery Service, which has done so much to improve conditions on the farms.

We are aware it—the rural free delivery—does not pay its way; many valuable institutions do not pay in dollars and cents; yet it means much to many who are far removed from the centers of population.

If you will use your influence toward preserving the Rural Free Delivery Service in its present very satisfactory form I am sure it will be appreciated by many in your district.

Yours, respectfully,

HOWARD CHENOWETH.

JEFFERSONVILLE, OHIO, January 6, 1916.

Hon. S. D. FESS, M. C.,
Washington.

DEAR MR. FESS: Permit a little intrusion on your valued time to protest to you as a mail patron and ex-postmaster against this so-called economy as is now being ordered in the rural delivery division of the mail service, which is the "goat" of all the so-called would-be saving in the postal department.

Whenever the proposition of money saving or retrenchment comes up it seems to be the idea that it all should begin and end in the rural delivery division, which vitally affects the farmers everywhere. Speaking locally of the service here, we have the two heaviest routes in this section, and it would tear the service all to pieces to try to combine them into one route, which move would be rank folly with the service here.

In view of the fact that surrounding counties are to have this so-called motor service which we have here now, as each carrier having a machine and getting his mail before noon, when the roads are in a fit condition, but in the past 10 days the roads have been so they had all they could do to make it.

Locally the farmers are getting all stirred up over this business, and we hear radical expressions from them where the service has already been ordered in the vicinity of Jamestown. It looks to us here like the automobile and the rural routes are to be the "goats" of the money-making and the money saving of the present administration.

If it is not out of the way, the writer and many others of your friends would like to read of your Congressman making a speech against this movement, which so vitally affects the farmers' welfare, who are entitled to the best of mail service.

It looks very much like only a cheap way of getting rid of an efficient force of rural carriers all over the country before the coming election, and have been informed that hardly any of the present carriers will take the new examination on account of the absurdity of the proposition.

Yours, respectfully,

W. W. WILLIAMS.

JEFFERSONVILLE, OHIO, January 11, 1916.

DEAR MR. FESS: Yours of the 8th at hand, and pleased to hear that you are active against the changes as proposed by the department in the rural service.

This proposed "economy" is only a grandstand play to eliminate a lot of good rural carriers, many of whom happen to be Republicans.

If they must replace them, have them do it with the routes as they now are, and not double them, to cripple the whole service, as it now is; and now the roads are so bad here that the carriers had to give up their machines and go in wagons, temporarily at least.

I am satisfied that the farmers, regardless of politics, will approve of your fight against this change.

SPRING VALLEY, OHIO, December 23, 1915.

Dr. S. D. FESS, M. C.,
Washington, D. C.

DEAR SIR: According to reports, the post office at Spring Valley is to be abolished.

Such an action is a disgrace to the country and will work many hardships and inconveniences. The rural mail routes are to start from Xenia and be doubled, from 25 miles to 50 miles, which is so long that no carrier can do the work. I trust that you will present a protest against such a measure and exercise every effort possible to prevent the action. Wishing you a Merry Christmas and a successful future, I am,

Very respectfully,

FREMONT MIARS.

SABINA, OHIO, January 14, 1916.

Hon. S. D. FESS,
Washington, D. C.

DEAR SIR AND FRIEND: What I wish to write about is the changing of our rural-mail routes—by merging two or three in one and the use of auto delivery in the place of "old Dobbin."

We farmers have many routes over which it is impossible to go with an auto about one-fourth of the year, whereas an old-fashioned mail wagon can and is being drawn by horse power.

It is in bad weather that the "old farmer" or "hayseed" wants his daily mail, because he has time to read it, and it helps to break the monotony of rural life.

Our mail man taught me my first term of school, and he says that the carriers do not dare to enter protest, so I shall. This man gets \$1,200 per year, and if the route was sold to the lowest responsible bidder it would not sell for over \$800. That sum (\$1,200) is equal to the gross income from 100 acres of land in our Buckeye State. If this man did not have some such job, he would be dependent on his children or would have the poorhouse staring him in the face. One great advantage of the shorter horse route versus the longer auto route is that it gives employment to many an old man that is unfit for hard

manual labor. Then it helps to wear out some of our 1,000-pound horses that have become very low in price.

The proper thing to do is to keep the salary down to from \$800 to \$1,000 for these rural routes and extend them over routes that have some dirt roads in them, because there are miles and miles of dirt roads in the State of Ohio that never can be gravelled.

Advocates of our "new-school code" say, "Gravel the roads." It takes "money to make the mare go," and we have high taxes in Jefferson Township, Greene County, now, where I reside. Our new school building, which will cost us \$5,500 before it is completed, adds to our taxes, as will the additional cost of running it, as it will cost nearly as much to haul the pupils to the building as to hire "girl" teachers for the rural or subdistricts.

I am one of the board members, and we expect lots of dissatisfaction when we go to hauling next fall. We have roads over which we must haul that are very bad, and it will be a great problem to gravel them the way they do nowadays with our road tax. We used to build a little strip every year, where the farmer put in one day with the team; but now everything goes on the main road to make good autoing.

Yours, truly,

J. H. CHITTY.

YELLOW SPRINGS, OHIO, January 10, 1916.

Dr. S. D. FESS, M. C.,
Washington, D. C.

DEAR FRIEND: Mr. Hackett received an order this morning discontinuing all rural routes out of Yellow Springs after March 31, 1916. The new routes indicate that such of our rural-route patrons that will be served at all will be served from Xenia, even coming right up to the corporation limits, in other places leaving out numbers of patrons on good roads that will have no service. The most impractical thing about this change is that a greater part of the routes are on some of the poorest roads and will be impassable a part of the winter months. If this radical change can even be modified somewhat, can the residents of Miami and Cedarville Townships help by sending petitions? Any information from you concerning this matter will be gladly received.

Yours, truly,

GEO. H. DRAKE.

XENIA, OHIO, January 24, 1916.

Hon. S. D. FESS:

I want to voice my protest against the motorization of the rural route in Greene County. The present system is very efficient and the other will not be in our case, as our road will be left out entirely.

Please do all you can against the new system.

Respectfully,

EDGAR T. BALLARD.

JANUARY 3, 1916.

Mr. FESS.

DEAR SIR: We are entirely satisfied with the present service on rural route and also with the carrier, who is efficient and gives the work the best of attention and care, and it would greatly inconvenience us to have our mail sent out from Xenia as the station, for the new route would be long and it would necessarily be many hours, with the roads in good condition, for the mail to reach us after it was received there.

MARTHA BELL.

JANUARY 3, 1916.

Mr. FESS.

DEAR SIR: In regard to the proposed change in rural route service, we do seriously object to having our mail detoured by way of Xenia as a distributing station, making us receive our mail most any time in the day, according to the route taken by the carrier.

Our present system is perfectly satisfactory and carrier absolutely dependable and suits in all respects, as well as anyone could. He is prompt and efficient, making very few mistakes even in similar names. While we are only a mile out of town, it would greatly inconvenience us to have a change.

C. W. ALLEN AND FAMILY.

SPRING VALLEY, OHIO, December 23, 1915.

To S. D. FESS,
Yellow Springs, Ohio.

DEAR SIR: We understand there is going to be a change made in our mail service, increasing the route of the carrier to 50 miles. Our service is now good. If it is increased there will be a good many days when he can't cover the new route with a motor, which he can at present do with a horse. We think if we have our post office changed it will not prove satisfactory. The old routes will be restored and this will result in our mail addresses becoming mixed. If you can aid us to keep our mail as it is we will surely appreciate it.

Yours,

JOHN TURNER, JR.

SPRING VALLEY, OHIO, January 6, 1916.

S. D. FESS,
Yellow Springs, Ohio.

DEAR SIR: I saw in the paper where you were fighting the change in rural free delivery. Keep up the good work, for we as farmers are all with you, as a change can make it no better. A happy and prosperous year to you.

H. M. THOMAS.

SPRING VALLEY, December 25, 1915.

S. D. FESS,
Yellow Springs, Ohio.

DEAR SIR: We have heard that the rural mail service is to be changed, the routes to be 50 miles long and motorized. This will be impractical, because much of the time, on account of bad roads, a motor can not be used, and a horse can not travel 50 miles in one day.

Furthermore, we will receive mail much later in the day, a decided disadvantage; and the office being moved to Xenia is unfair to the smaller town.

If you can use your influence to preserve the route as it is, we will certainly appreciate it.

HENRY B. WELLER.

SPRING VALLEY, OHIO, December 24, 1915.

Dr. S. D. FESS,
Washington, D. C.

DEAR SIR: I have a matter I would like you to give your influence to in regard to the proposed change in rural carrier business. They are expecting to take our mail from Spring Valley and putting it from Xenia, making a 50-mile route, you know. I do not think the Government will find that practical the year through, and we as subscribers having to change our addresses cause some unnecessary delay until matters get adjusted. You know that. Then, about the time they get adjusted the next administration will change it again, probably, and another time. Then, some one is probably left out that now is being served. I understand probably 3 or 4 families would be cut out in our neighborhood.

I wish, as one of your constituents, you would consider this matter in our behalf, and if you see it to our advantage take measures to help us, if you will.

Trusting this will meet with your approval, I remain,

Very truly,

J. F. PUTERBAUGH.

SPRING VALLEY, OHIO, December 30, 1915.

Hon. S. D. FESS:

You being our Representative from the sixth district, I thought I would drop you a line imploring you to not let the change being made in our rural free delivery come to pass, as it is very satisfactory to us at present and don't believe it can be improved. It is the greatest thing the Government ever did for the farmer, and hope you will do what you can to have them continued as they are at present. We do not want our delivery changed from Spring Valley.

Yours, and obliged,

S. K. HAINES.

DECEMBER 29, 1915.

S. D. FESS, M. C.

DEAR SIR: I am writing you as a patron on mail route, which they are going to cut me out of receiving my mail at my door and many others besides me. I would be very much disappointed to lose the route which has given us such valuable service for the last 14 years. I appeal to you as our honorable Member of Congress from this district to do your utmost to prevent this.

Yours, truly,

J. R. McBEER.

JANUARY 14, 1916.

Mr. S. D. FESS.

SIR: I live on route. We understand that our mail route is to be changed, for which we are bitterly opposed for many reasons. First, when we were put on the rural route, it took a year for to get our mail straightened out. Now, then, to think it must be changed again, we consider it out of place and the way it is to be changed—to give a man 50 miles for a route. Our roads will average as good in our section as any in the State of Ohio. Our carrier has tried by horse and by auto; finds it at times almost impossible to get through, and we have as good a carrier as the country can afford. And now to be changed is out of the question. As to 50 miles for a route; it is out of the question, for no man can make it for a portion of the year. For the amount of mail to be distributed; and the houses will average no more than a third of a mile apart, with two to five members to a family, and generally all to receive mail. For this reason, a man can no more than distribute his mail, let alone handling his machine and watch the road.

We hope you will help us to keep our present route and carrier as it now is. We would like to hear from you at once about this. What you think of the matter.

Yours, truly,

W. N. ROHRBAUGH.

XENIA, OHIO, February 6, 1916.

Hon. S. D. FESS,
Washington, D. C.

MY DEAR DOCTOR FESS: I have just read in the Rural Free Delivery News of February 5 your very able defense before the House Post Office Committee of the present efficient service rendered by rural carriers in our congressional district, and in particular that of Greene County; and take this means to personally thank you for championing a cause so near the hearts of rural patrons and carriers.

We probably have as good average roads as any section in Ohio, but to serve all the people we must traverse all the roads both good and bad, of which the latter we will have in many years to come; and had an inspector gone over any of Greene County routes during the past month, it would be many moons before we would again hear of doubling routes for motor service.

Under present system it requires an average of two hours' office work daily for each carrier. Double the work means double the time in office with a bulk of mail, we believe, beyond the ability of a carrier to handle efficiently, no matter what means used for transportation, as has been proven wherever motor routes of 50 to 60 miles have been installed.

I am, most respectfully,

CEDARVILLE, OHIO, February 8, 1916.

The Hon. S. D. FESS,
Washington, D. C.

DEAR MR. FESS: We are writing you in regard to the change in our rural free-delivery routes. We note by the different papers that you are opposed to this change and that you really do not need any urging in regard to using your influence against it being made. However, we thought you might be interested in hearing from some of your constituents in regard to the matter. We are very much opposed to this change, for we feel sure it will prove to be a hindrance rather than a help to the community in general.

We are inclosing a clipping from the Journal-Republican, which we thought you might be able to use to an advantage and which we believe expresses very clearly the existing condition in Greene County.

We congratulate you on the progress you have already made in interfering with the change in these routes.

Assuring you that the patrons of your district appreciate the stand you are taking in this matter and hoping that you will be successful in preventing this change to take place, we are,

Sincerely,

HOME CLOTHING Co.,
Per G. H. HARTMAN.

The clipping referred to in this letter, which follows, shows the results of this change:

MOTOR MAIL ROUTES—GIVEN POKES IN EYE BY WEATHER MAN, PROVING PLAN IMPRACTICAL.

The article appearing below is copied from the Waynesville Gazette, and is a sample of what is being recounted everywhere in all the papers of the country. The Gazette says:

"The rural mail carriers have surely been having an awful time delivering mail. In several instances the roads really have no bottom and machines go axle-deep in mud and water. Saturday the boys had to be pushed out of ruts one or more times. George Mills was particularly unfortunate. His machine broke completely down, and he had to make his delivery by horse and buggy. Through the winter season the Government ought to put on substitutes and make the distances shorter, as the boys have a hard enough time to make their original trips."

Few, if any, of the nine carriers out of the Wilmington office have attempted to make the rounds with a machine. The drivers are either using horses of their own or are hiring from the livery stables. Oliver Hiatt, driver of route No. 9, which covers the Cuba-Mount Pleasant-Villars Chapel neighborhoods, tells the Journal-Republican that he has been swapping horses in the middle of the stream, as it were, every day. He keeps one horse at his home here and another on a farm about half way along the route. This gives each horse something like 15 miles a day, and does not overwork either. Others are doing the same thing, perhaps, but the automobile is almost out of the question on the kind of roads that has prevailed within recent weeks.

DAYTON, OHIO, February 10, 1916.

Hon. S. D. FESS,
Washington, D. C.

DEAR SIR: I am a voter on rural free delivery No. 8, Dayton, Ohio, living in Greene County. We have good mail service that is in danger of being crippled by the establishment of a 50-mile route. Why don't Mr. Burleson start the route in January in place of April? We expect to fight to a finish having our mail changed to Xenia. We expect you, as our Representative, to help us hold our mail route from Dayton. We have our telephone system from Dayton and we do our business with that city and we want our mail from there.

Trusting we will have your assistance, I am,

Respectfully,

I. J. COY.

DAYTON, OHIO, February 10, 1916.

Hon. S. D. FESS.

SIR AND FRIEND: I believe it has become the duty of every American citizen and voter to take care of himself when we see a foe surrounding us on all sides and trying to trample us under their feet, so I believe it is time for us to call for help in the hour of such a disaster as is about to befall us all in the mail matter, such as changing our mail system, when we have one of the best our Nation has ever experienced. We therefore call on our Congressman, S. D. FESS, for help. We earnestly ask you to do your best to help us hold our mail service and rural routes as they are.

Hoping to hear from you soon, and seeing what you have done for us and believing what you will do in the future, we remain your support at the polls.

Yours,

E. B. KIETER,
Central Committeeman Beaver Creek Township,
Greene County, Ohio.

YELLOW SPRINGS, OHIO, February 13, 1916.

Dr. S. D. FESS, M. C.,
Washington, D. C.

DEAR FRIEND: I am inclosing the Gazette's report of your talk at the institute. This gives some people the idea that they can have their mail addressed as formerly at Yellow Springs. Now, if this be true, the order that has gone out to the postmaster will have to be changed as it clearly says that after March 31 Yellow Springs rural routes will be discontinued, and inclosed with this order are two specifications of routes out of Xenia, entirely circling our town, designating by what route the patrons will receive their mail, also one specification from Osborne that will reach some of the present Yellow Springs patrons (and this route from a town that is soon to disappear from the face of the earth). Your objections to the change of address is the thing that will hit the department the hardest, as if the present order is put in force the confusion and inconvenience will be incalculable. We feel that if the present order can be deferred for a time the department can find a more practical plan and just as economical as the one they have planned for this county.

Yours, truly,

GEO. H. DRAKE.

The following letters are from persons outside of my district:

JANUARY 26, 1916.

Hon. S. D. FESS, M. C.,
Washington, D. C.

DEAR SIR AND FRIEND: I take this opportunity to write you a word in reference to the rural mail readjustment now going on in Ohio.

Now, it seems to me the service in this section of Ohio, at least, can't be made better. The roads are not in condition for regular automobile service more than five or six months in the year; then they are very hilly, and it is extremely wearing on a machine at any time. The roads now—even the pikes—are in very bad condition, and it takes nearly seven hours to make the trips, besides the time in the office.

Our schedule is from 9 a. m. to 3.30 p. m., and we must be in at 3 p. m. to catch the mail east, and we make the mail, except when the roads are very bad, by driving right through without stopping to feed or eat dinner. I have been in the service since February 1, 1905, and am now in my fifty-third year. Started at \$60 per month and did hardly make ends meet, but the salary advanced until now I can begin, by careful living, to pay my mortgage on my home (of \$1,200) off; but if I am thrown out by this readjustment plan it will surely put me, with a great many other carriers, in very bad position.

Do not think motor service can be successfully operated, in this county at least. Hoping you will give this matter your early and careful attention, I beg to remain,
Your friend,

WEST MANCHESTER, OHIO, January 12, 1916.

HON. S. D. FESS, M. C.,
Washington, D. C.

DEAR SIR: A few days ago I noticed an article in the Ohio State Journal that Yellow Springs and Cedarville would lose their rural carriers through the motor service. I also noticed that you were going to use your influence to prevent it.

About the 1st of November we had the information that this town would lose its rural route and be served from Lewisburg, despite that this town has the best railway mail service in the county and Lewisburg about the poorest. We protested to our Representative, but he said he was powerless to do anything.

I am inclosing herewith several copies of front sheet of one of the Richmond, Ind., papers, which will give you some idea as to how the motor service is succeeding there. This may not interest you, but I judged it would be effective ammunition to use just now.

Very respectfully, yours,

R. H. SILBER.

NEWARK, OHIO, February 2, 1916.

DEAR SIR: It certainly seems to me that in our part of the State the motorizing of the mail routes seems impracticable. Do they expect to try and extend it to Licking County?

Yours,

W. L. FISK.

I also submit my statement before the Committee on the Post Office and Post Roads:

STATEMENT OF SIMEON D. FESS, A REPRESENTATIVE FROM OHIO.

Mr. FESS. Gentlemen, I had not intended to take any time of the committee, but the situation in my immediate vicinity, including my own town, where I live, has been so unsatisfactory in the last few weeks, and I have been so unable to give any information, not being able to get the information, I feel that I ought to lay the matter before the committee here.

Mr. BELL. You have reference to motor service?

Mr. FESS. Yes. While at home I called upon our postmaster. I asked him what the order was in reference to the routes affecting our particular county. He said he did not have any information at all, other than that there was to be an examination, to be held on the 22d.

Mr. COX. An examination for what, Doctor?

Mr. FESS. For the new proposal of the motor routes, displacing the present routes.

Mr. GRIEST. You mean an examination for letter carriers?

Mr. FESS. Yes. Then I called upon the postmaster at Xenia the county-seat town of the county, and he told me he was unable to give me any information whatever, save that there had been an order issued for an examination for the 31st, in reference to the Xenia routes. I have been literally besieged with letters from various points, not only in my county, but in my whole district. There is not a county in the district that has not sent me letters and sent me resolutions, signed by citizens of that community, who are patrons to be served.

Mr. COX. Will it disturb you if I ask you the area and population and the number of routes in your home county?

Mr. FESS. There are 10 in my home county.

Mr. COX. What is the area of that county?

Mr. FESS. The area—I could not give you the exact size of the county.

Mr. COX. Well, just approximately.

Mr. FESS. Do you live in the same county, though?

Mr. COX. What is the population?

Mr. FESS. I think about 31,000. I could not say that definitely.

Mr. COX. Largely rural?

Mr. FESS. Yes; altogether rural in my own home county.

Mr. COX. Do you live in the same county in which Xenia is located?

Mr. FESS. Yes. I have here one of the many letters to which I referred, and this one is from a committee of seven, representing the rural carriers of Montgomery and Greene Counties. They say:

"Owing to the contemplated change in the rural free-delivery mail service, whereby it is proposed to increase the length of rural routes from the present average of about 26 miles to that of approximately 55 miles each per route, and whereby it is further proposed to increase the compensation for such service from the present maximum of \$1,200 per carrier per annum to that of a maximum of \$1,800 each per carrier, we, the undersigned committee, representing the rural carriers of Montgomery and Greene Counties, Ohio, believing that compensation provided under the new service is by no means commensurate with the labor to be performed, beg to submit the accompanying facts—"

And then I have here the facts set forth in objection to the proposed change.

"The following is an estimated account of performing the service by means of motor vehicle for an uninterrupted period of 10 months in the year, together with the cost of providing means for serving the route during the other two months of the year, when an uninterrupted service could not be performed by means of motor vehicle."

Then follows an itemized statement of the cost, and this is signed by various members from Dayton and Spring Valley and Xenia.

Mr. STEENERSON. Have you any complaints from any of the patrons?

Mr. FESS. Oh, yes; numerous complaints.

Mr. STEENERSON. What is the substance of their grievance?

Mr. FESS. That the mails will not be delivered regularly—can not be—for the reason that our roads are in such shape that an automobile can not possibly do it.

Mr. BRITT. What is the condition of your roads?

Mr. FESS. Our roads, in general, are not bad; they are as good as they are in any section.

Mr. STEENERSON. Are they dirt roads?

Mr. FESS. Yes; many of them are dirt roads. Here is a letter from a resident of my own town, who never mixes in politics, or who is not a mischief-maker, but one of our best business men. He, Mr. Hackett, is our postmaster:

"Received an order this morning discontinuing all rural routes out of Yellow Springs after March 31. The new routes indicate that such of our patrons as will be served at all will be served from Xenia, even coming up to our corporate line limits, in other cases leaving out num-

bers of patrons on good roads having good service. The most impractical thing is that some of the routes are on the poorest roads and will be impassable during part of the winter months. If this radical change can even be modified somewhat, would the residents of Miami and Cedarville Townships help by sending petitions? Any information that is possible we would be glad to receive."

Now, this man is not a busybody or a mischief-maker; he is a citizen of our town who takes no particular part in politics, but knows the county, possibly, as well as any man in the county.

Mr. BRITT. You think that he is disinterested?

Mr. FESS. Yes; that is disinterested; and he is the strongest friend the postmaster has in the town.

Mr. MADDEN. Are they cut out of the opportunity of getting their mail as regularly as they used to?

Mr. FESS. They are.

Mr. BLACK. Is the service now in effect, Mr. FESS?

Mr. FESS. No; the new service is to go into effect on March 31.

Mr. BLACK. Then you can not tell.

Mr. FESS. No; I should say this: A road seems to be a road to the inspector whether it be a dirt road or a macadam road, and the inspector has been required, it seems, by the Fourth Assistant Postmaster General to cut out retraces, so absolutely necessary in making the service complete, and here is one of our citizens who will be cut out entirely.

Mr. COX. What per cent of your roads are hard surface?

Mr. FESS. I should judge perhaps more than 50 per cent of them. Our roads are actually pretty good, many of them.

Mr. COX. What is your home town?

Mr. FESS. Yellow Springs.

Mr. COX. How far is it from Xenia?

Mr. FESS. Nine miles, and 9 miles from Springfield. Why I asked to come before the committee was this: Not being able to get any information at all to reply to those who wrote me, I called at the Post Office Department. I wanted to see the general superintendent of all this. I am going to say to this committee what those who know me will know is true. If this proposed change were for the benefit of the country at large or the State at large and would be inconvenient to some localities, even my own town, I would not offer the protest, because I believe that you have got to serve the larger interest; but I can not get any information about this thing. I have a right to know what is going to be done. I think every person here, without regard to politics, will agree that I have a right, and when I appear before the Post Office Department in order to get this information and am told that I can not see the man in charge because he is busy and for me to come at another time, and so on, I do not think that is the proper treatment for a Congressman who tries to be fair to everybody; and that is the treatment I have received.

Mr. COX. Whom did you seek out down there or try to find?

Mr. FESS. Gen. Wood.

Mr. COX. George Wood?

Mr. FESS. Yes. I thought he was the proper party to go to, because he had this in charge.

Mr. COX. When were you down there?

Mr. FESS. I was down there the latter part of last week.

Mr. STEENERSON. The superintendent of rural delivery?

Mr. FESS. Yes.

Mr. STEENERSON. In the Fourth Assistant's office?

Mr. FESS. Yes. I have this feeling about it, gentlemen: I do not think that is the kind of a reception a Congressman should receive in one of the departments.

The CHAIRMAN. Doctor, I think you are right about being entitled to be heard, but I want to say to you that your experience is like that of some of the others of us. For 14 or 15 years I have been unable to get any hearing on some matters. It seems to be the rule. It has been heretofore the rule, and perhaps may be kept up now.

Mr. FESS. Well, I put the question specifically whether the policy of the department was to be secretive. I felt that I was justified in taking a little time to lay this matter before you, which probably you will think is somewhat unfair. I have a statement in writing that I want to submit, which probably you will not think is fair. I want to say that there is a movement here to make these changes that has some interest in our politics.

Mr. COX. I do not think so, Doctor, I think the question is a question of better service.

Mr. FESS. I do not think so, or I should not make this, which I think is an honest fight for rights; but the instructions that have been sent out make me feel that it is a chance to get out some people and put in others. Now, I make that statement to you frankly, as a man who is not trying to take any political advantage, and if it is not that, why, I can not understand the instructions.

Mr. COX. You mean with reference to rural carriers?

Mr. FESS. Yes.

Mr. BELL. I do not think that can be true, because they are all Democrats in Georgia, and they are putting them out there under this reorganization.

Mr. FESS. The statement I had prepared was very largely on that line, and I had simply done it because I thought the department had not been fair to us, and I was calling that particular point to the attention of the committee.

The CHAIRMAN. This certainly should not be a political service in any way.

Mr. FESS. I know it should not.

The CHAIRMAN. Doctor, while you are on the floor, I want to ask you this: Is it your opinion that where the department can change a route or double a route, or make any alteration that it deems to the public interest and still give as effective service as theretofore, that you object to the change?

Mr. FESS. No; I would not. I make that statement frankly. I would not object to a change if I thought that the department was getting as efficient service and as economical service by making the change. I do not think I would be justified in doing it, and I would not do it; but all the evidence that comes to me from the information that I have sought is on the other side; that it will not be as efficient, and it certainly can not be as efficient, in my opinion.

Mr. BELL. And that it is not as efficient where it has been tried?

Mr. FESS. No; it is not.

The CHAIRMAN. What is the remedy for all this?

Mr. FESS. I would leave the routes as they are in my district, very decidedly.

The CHAIRMAN. You would suggest that Congress say it should be left that way, or would you leave it to the discretion of the department?

Mr. FESS. From my experience with the department, I do not think it should be left to the discretion of the department.

The CHAIRMAN. But, as a matter of public policy, do you not think it would be unwise for Congress to begin to designate the routes that should remain and those that should be changed?

Mr. FESS. Mr. Chairman, if there is no partisan advantage being seized upon—that is the only thing I am fearing now—if there is no advantage of that sort being sought, I would say I am willing to leave it to the administrative officers; but I can not understand why all of our Democratic postmasters in my county have had instructions on the subject mentioned and that the Republican postmaster at Xenia has had nothing. That is a little bit suspicious to me. I can not understand that. Mr. Chairman, I have written out a statement on what I call motorizing the rural carriers instead of the rural routes.

Mr. STEENERSON. What is the matter with reading it? We would like to have it.

Mr. FESS. I will read it, if it may be done with the permission of the committee, but I will not insist upon taking up your time.

Mr. STEENERSON. The committee would like to hear it. I know I would.

Mr. FESS. Shall I, Mr. Chairman?

The CHAIRMAN. I have no objection myself to any length of time you want to take up here. If the committee desires it, go ahead.

Mr. STEENERSON. It will not take long.

Mr. FESS. I have called this "Motorizing the rural carriers." It says:

"The department calls it 'Motorizing the Rural Service,' but we prefer the above caption as a better description of what is actually to take place; for if the plans of the Post Office Department are carried out, there will not be a single rural carrier now in the service in Greene County left to tell the tale. In other words, the Democratic office seekers have at last found a way to pry open the Rural Mail Service and have burgled their way into the Rural Service; they are to be eligible, after one year, for transfer into the clerk or carrier service of post offices or into the Railway Mail Service. The discovery of the way to do this comes just in time to reward the deserving Democrats, just prior to the presidential campaign. The rural carriers of the country have been for some years covered under the protection of the civil-service rules, which provide that 'no person in the classified civil service of the United States shall be removed therefrom except for such cause as will promote the efficiency of the service, and for reasons given in writing,' and it is provided that the accused is to be furnished with a copy of the charges and given opportunity to reply, but the ingenious officials charged with the duty of rewarding deserving Democrats have found a way. They have motorized the Rural Service, and the faithful and efficient civil servants glide out of their jobs with that smooth and imperceptible motion of which only a motor vehicle of a certain description is capable. What is a motor route? Is it anything new? Not new in the sense that it has been heretofore unknown. There are, and have been for years, thousands of these routes in the United States. There are, and have been for several years, two such routes serving the patrons of the Xenia post office. It is a new application of the term, and a new use to make of motors in connection with rural routes, which, by the way, it is claimed does not improve the routes, but in reality jeopardizes the service, and, above all, a new method of removing old carriers which the Post Office Department has found. In order to do this, and to make an excuse which will fit the above requirement of the civil-service law and rules, and to put good, faithful men who are now in the service outside the protection of those rules, the motor route has been invented and is being put into service all over the country. It has at last reached Greene County, and a civil-service examination is to be held at the Xenia post office on January 22 to establish a register from which appointments may be made for motor service, which is to go into effect, according to newspaper announcement, on April 1."

Mr. AYRES. Is there anything to prevent Republicans from taking that civil-service examination as well as the Democrats?

Mr. FESS. No; nothing to prevent it. There is a way, however, for the Republicans to be discriminated against.

Mr. AYRES. I will ask you another question. Is it not a fact that 80 per cent of the civil-service employees in the present Government service—fully 80 per cent, and, perhaps, 85 per cent—are Republicans?

Mr. FESS. I do not know that that is true. Even if it were true, one evil does not cure another.

"There is entire mystery as to just what the 'motor service' will be in Greene County. The advertisement of the Civil Service Commission calls for an examination 'to fill a vacancy at Jamestown, Osborn, Xenia, and other vacancies as they may occur on motor rural routes at post offices in the above-named county, at salaries ranging from \$1,500 to \$1,800 per annum.' The examination is to be an 'open competitive examination,' and as a result an eligible register for the county is to be established, from which it is expected that certification will be made for filling the vacancies in the positions of carriers on the motor rural routes at the post offices above mentioned, namely, Jamestown, Osborn, and Xenia, and other vacancies on motor rural routes at post offices in Greene County as they may occur in the future. Nothing is said of Cedarville, Yellow Springs, or Spring Valley, which heretofore have been the headquarters of several rural routes each. Presumably those routes have been dumped down the back stairway, leaving the rural service of Greene County to be conducted from the offices at Xenia, Jamestown, and Osborn, with probably some travel into the county from Dayton and Springfield as at present. Although no announcement has been made as to just what these new routes are to be like or how many of them there are to be, it is known that the Post Office Department has been working on the Greene County map for some time laying out entirely new service. The roads have not been traveled over by an inspector as was formerly the practice in making changes in the rural service. That would take entirely too long, and the deserving Democrats would stand some chance of starving to death before being able to connect up with their jobs. But a county map has been used, and the officials have proceeded in accordance with the promptings of their inner consciousness, which has probably been ample for the purpose.

"If we may judge by what has happened elsewhere, there are to be put into operation in Greene County motor routes covering 50 to 60 miles each, requiring the services of one carrier instead of two, as would be required for that mileage by wagon service. This looks, indeed, like good business; but the needs of the service are apparently not the first consideration in making these changes. It is the deserving Democrats who must be taken care of, and the erring Republicans who must be put upon the motor toboggan. In the announcement of the examination the Civil Service Commission states that 'in filling any vacancy the department is privileged to fill it either by promotion or through open competitive examination; for the above-named vacancy the department has requested the commission to certify from open competitive examina-

tion.' How fair that appears to be. 'This vacancy,' says the commission, which has added to the mystery of just what is to take place by treating of the matter as though the examination were but a routine matter to establish a register for making appointment to existing vacancies, 'this vacancy is on a route newly established as the result of consolidation of two or more existing routes or of added mileage; and upon the establishment of a new route for which the department desires a certification of eligibles, it is the commission's practice to hold a new examination in order to give all qualified persons an opportunity to compete. Furthermore, this route has a compensation materially greater than the compensation of a route allowing the delivery of mail by other than motor vehicle, and therefore certification for this vacancy can not properly be made from a register established for a materially lower compensation, because for the higher compensation there has not been competition, as required by law.'

"You see how it is, boys. We regret that we can not promote you, as it seems we have the right to do, for the reason that a promotion can not be made to a position affording a materially higher compensation. Of course this is contrary to the general rule obtaining in the matter of promotions, which usually contemplates higher salaries, but you must consider the exigencies of the situation. The deserving Democrats are out of meat; therefore you can not be promoted, but must lose your jobs, much to our regret. The Civil Service Commission is truly sorry for the situation, and trusts that you will kindly accept its apologies. However, boys, do not feel that all is lost. You still have a chance. Your experience in the service ought to, and does, count in your favor—not to the extent, you may be sure, of endangering the chances of any deserving Democrat, but so as to look well in official reports. You are to be given credit for each year of service up to six years. How much credit? Well, we are sorry to say that is not so large a figure as it should be, but it is all you are entitled to, inasmuch as you are mostly Republicans, and there are deserving Democrats waiting for your jobs. We allow you as a matter of form and for the purpose of appearing fair not exactly 5 per cent per year, but one-half of 1 per cent per year up to three years. You may, therefore, be rated the enormous total of 3 points in a hundred, if you have served as much as six years, so much being allowed you in consideration of experience. That is what we call civil-service reform. How many of the present incumbents will this hold in their positions? Probably not a single one whose place is wanted for a deserving Democrat. The present incumbents of the rural-carrier jobs are doomed—every man of them. Such has been the experience in other places, and the handwriting is on the wall in Greene County. But there are other tricks and other means of 'motorizing' the rural carriers. The age limit for admission to rural-carrier examinations is 55 years. This shuts out many a man the country over who is showing by his daily work that he is still fit. It shuts out three of the carriers attached to the Xenia office, and would shut out still another one if he were not protected by the law which exempts veterans of the Civil War from exclusion on account of age."

Mr. FINLEY. You said 10 out of your home county. Do you mean 10 routes going out of your home town?

Mr. FESS. Ten going out of Xenia, but only three out of my home town of Yellow Springs.

"And still another trick which is fatal to every carrier in the service is the requirement that the examination be held from 9 a. m., when the carriers must be serving their routes. No exception is made in their favor, and the evil intents of the whole scheme are so apparent that it would probably do them no good to get into the examination."

Our postmaster, upon my suggestion, asked the department to make an exception here.

Mr. COX. If there is any politics in the whole proposition, and if you have any Democratic rural-route carriers in your county, that would equally apply against the Democrats as well as against the Republicans?

Mr. FESS. And we have a few Democrats.

Mr. COX. And they will be shut out, as well as the Republicans?

Mr. FESS. Yes.

Mr. FINLEY. How many railroads are there at Xenia?

Mr. FESS. Two.

Mr. FINLEY. Crossing each other?

Mr. FESS. Yes; one line from Springfield to Cincinnati and one from Columbus to Cincinnati. They are the Pan Handle routes. I have 750 miles of railroad in my district and 162 miles of trolley lines in the district.

Mr. FINLEY. Do the trolley lines carry any mail?

Mr. FESS. Yes.

"Such is civil-service reform as practiced by the Democratic Party, and such is the fulfillment of Democratic pledges of true reform of the civil service. But this is not all. Says the examination order: 'A rural carrier after one year's satisfactory service may be transferred to the position of clerk or carrier in a first or second class post office, railway mail clerk, or other position in the classified service, subject to such examination as may be required by the civil-service rules.' There you have it. That is the open door. Deserving Democrats, by the favor of Democratic officials, enter the motorized rural service, serve one year and become eligible to transfer into clerical and carrier positions in first and second class post offices, into the Railway Mail Service, and, indeed, into any civil-service position under the Government. There is no limit; only the noncompetitive examination required for any position being required. Once in, always in, and always eligible to a place. Enter the service as a motor carrier and become eligible for transfer to the Customs Service, to the Consular Service, to the departmental service—to any service you can procure the influence to transfer you to. Is not the Democratic Party taking care of its own? Yes; but at the expense of broken promises and a ruined civil service. And what kind of routes are established? What kind of service will the farmers have? That, as we have said, is still undeveloped. We can only guess at it, and apply the experience of other localities. These motor routes have not proven satisfactory where tried. There has been an uprising wherever they have been put into operation, and in some places a return to wagon routes has been made necessary. It is said that the makers of the motor-route maps have paid little heed to conditions which have been met by 'retraces.' Experience has shown that these 'retraces' are highly necessary in order to reach patrons. Every route out of Xenia has several of them. But there will be little 'retracing' when it comes to operating motor routes. Consequently, citizens living on 'retraces' had better look out. Numerous other objections are being raised against motor routes, one of the chief being that it will be impossible to serve them in bad weather. By departing so far from the base the inconvenience occasioned by broken bridges or similar obstacles which render roads impassable is greatly increased. Carriers, having double duty to perform, can hardly be expected to perform it so well. Length of routes will entail later service on portions

of the route, etc. And there remains to be said that people who have been accustomed to having their mail sent to Cedarville, or Yellow Springs, or Spring Valley, will be a long time getting their correspondents accustomed to sending it to Xenia, Jamestown, or Osborn, for to all appearances these first-mentioned towns are to lose their rural service entirely. In fact, the only citizens who will be entirely happy with the new arrangement are the deserving Democrats; but they are so few."

The CHAIRMAN. Now, Doctor, let me ask you a question. You favor retaining the routes just as they were?

Mr. FESS. I do in my district.

The CHAIRMAN. And retaining, of course, all of the Republican carriers, just as they were?

Mr. FESS. I would not say that.

The CHAIRMAN. Well, that would be the result of it, would it not?

Mr. FESS. I would not object.

The CHAIRMAN (interposing). You would object to any Democrat even having a civil-service examination by which it would be possible under the law of the land that he could get a position?

Mr. FESS. No; but I object to these people being legislated out.

The CHAIRMAN. The department has authority to act in those matters. They are not legislating; that is administration. It would seem to me if the department could better the service and reduce the cost—and they are proposing to reduce it about \$4,000,000 in the United States by these changes—that it would not be improper to do so, even if here and there some Republican should lose a job. My understanding, however, is that they are not undertaking to turn them out because they are Republicans.

Mr. FESS. Well, I wish I could believe as you do.

Mr. MADDEN. Is it not a fact that that is the Civil Service Commission, and not the department?

Mr. FESS. No. My indictment is of those who will not give any information as to what is done and why it is done.

Mr. RANDALL. Is not that a requirement of the Civil Service Commission, and not by the Post Office Department?

Mr. FESS. I do not care if it is. I think it is taking advantage of our rural people. My impression is they will not do anything, and that is why I come before this committee.

Mr. BRITT. As I understand, your objection is to any changes which you believe will be injurious to the service.

Mr. FESS. Certainly.

Mr. BRITT. And not as a personal matter, unless it injures the service?

Mr. FESS. I repeat that if this change were for the interest of the Government at large, or the State at large, or the county at large, I would not come here and protest in the interest of a particular town in which I live. I am not that kind of a fellow.

Mr. BRITT. So your idea is that it is generally an unwise policy?

Mr. FESS. Yes; that is it exactly.

The CHAIRMAN. Who would know more about it—the local postmasters?

Mr. BELL. I think the Members themselves would know more about it.

Mr. FESS. I have never had an invitation to a department, and I can not get to them when I go there. I might be able to do so if I would sit there and wait.

Mr. ROUSE. You stated a while ago that you were not able to get any information from the department, and you were not able to see the superintendent. Did you go there more than once?

Mr. FESS. No.

Mr. ROUSE. You only went once and he was busy then?

Mr. FESS. I went once; got into the office; saw him through the door talking with two or three people. I waited for a time.

Mr. ROUSE. For how long?

Mr. FESS. Oh, probably for 20 minutes.

Mr. ROUSE. I know you want to be fair.

Mr. FESS. Yes, sir.

Mr. ROUSE. Do we not all go to see the heads of departments and have to wait our turn?

Mr. FESS. Probably you do.

Mr. ROUSE. I know they do in law offices, and I think we should be fair to heads of departments, and try it again.

Mr. FESS. How often should I go there?

Mr. ROUSE. I go several times.

Mr. FESS. Well, there is a difference between you and me. I will not waste my time. If I can not get to the department, I will stay in my office.

Mr. BEAKES. Suppose there are other Congressmen inside?

Mr. FESS. There were not any Congressmen inside.

Mr. STEENERSON. Why did you not call on the Fourth Assistant Postmaster General instead of the superintendent of delivery?

Mr. FESS. I preferred to call on the man who was directly in charge.

Mr. STEENERSON. But he has not the authority.

Mr. FESS. Then he would have told me to have gone to the party who did have the authority.

Mr. ROUSE. The fact is that you did not wait long enough to find out anything, is it not?

Mr. FESS. Well, if this committee wants to take that position, it is all right.

Mr. ROUSE. I know you want to be fair.

Mr. FESS. If you want to take that position, it is all right.

Mr. STEENERSON. The practice has been, Doctor, so far as I am acquainted with it, for the 13 or 14 years I have been here, to call on the chief of the bureau, and he sends for the Superintendent of Rural Delivery, or whatever it may be, and then the question is determined there.

Mr. FESS. Just let me ask the committee, do you suppose that I could get any consideration whatever if I should make an appointment with anybody in the department, or is this simply an administrative measure that emanates from one of the executive departments, and that a Member of Congress or this committee has nothing to do with it?

Mr. STEENERSON. I desire to say that, so far as I know, the administration of the Rural Delivery Service has not been a political matter, and so far as I know it is not a political matter under this administration. It is simply a question of policy that they have adopted, which turns out to be unwise, and the Congressmen should discuss that with the man in charge. My district has not been hit, but if it had been I certainly would have taken it up with him.

Mr. ROUSE. It seems to me, Doctor, in a matter of this importance you should be willing to wait more than 20 minutes.

The CHAIRMAN. You called on Mr. Wood, did you, Doctor?

Mr. FESS. Yes; and did not get to see him.

Mr. ROUSE. Mr. Wood is a very nice gentleman and a very efficient officer, and I am sure he would show you any kind of courtesy. Then,

too, he is a Republican, so of course he did not have any political reason in doing that.

Mr. FESS. I do not care anything about that.

Mr. COX. If you will call him on the telephone, Doctor, he will see you.

Mr. BRITT. Your direct business was with the Fourth Assistant Postmaster General, so he could call the proper officer up, and I know Mr. Wood did not intentionally slight you.

Mr. FESS. I would like to ask the chairman of the committee whether he can express the judgment of the committee that my going to Mr. Blakslee would do any good at all in reference to my situation?

The CHAIRMAN. I believe so, Doctor. I could not speak for the committee, but personally I believe it would be all right.

Mr. BRITT. I think you should make your case fully known to Mr. Blakslee.

Mr. STEENERSON. I think that is the trouble with this administration, that there have not been enough Congressmen who have gone to Mr. Blakslee.

Mr. AYRES. Have the inspectors inspected the contemplated new routes?

Mr. FESS. Not to my knowledge. I have asked the postmaster at Xenia post office, but he has no information. I want to thank you for being very polite and considerate of me. I have perhaps been rather bitter at some points.

Mr. DOWELL. With reference to one route, I answered that it was a horse route. There are, however, a number of motor routes in the State of Iowa and in my district.

Mr. MOON. Mr. Chairman, I yield to the gentleman from California [Mr. CHURCH].

Mr. CHURCH. Mr. Chairman, I take this opportunity to ask unanimous consent to extend my remarks in the Record.

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

There was no objection.

Mr. MOON. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman and gentlemen of the committee, I want to say a few words about the Rural Delivery Service. Along in the early fall, about the 1st of September, the reorganization of the Rural Delivery Service reached Georgia and the motorization of the Rural Service commenced to take place. I have given a very close study to this question of rural delivery and the use of the automobile in the carrying of the rural mails. The trouble about the Rural Delivery Service with the motor car instead of the horse-drawn vehicle is this, and we must admit it, and I think the Post Office Department will admit it: I believe that it is unwise, that it is not economical, to attempt to carry the rural mails over roads of such character where the motor car can not be used 365 days in the year. I do not think it is fair to the people that are being served, and I do not think it is fair to the carrier. First, it is not fair to the people, and they are the ones we are primarily interested in. Rural Delivery Service in my section of the country means personal contact with the carrier. If the roads are in such condition that in clear and good weather the carrier can use an automobile, but in bad weather he is forced to use a horse-drawn vehicle, you will find that it is impossible for the patrons of the road to know within an hour or an hour and a half when the rural carrier will come along, because, of course, there is going to be a difference in his schedule. Take a man in the country, for instance, that uses the parcel post. He lives probably a quarter or a half a mile out of sight of the road the route is on. He has to go down in sight at least of the road, and he does not know on a given day whether the carrier is coming with a motor car or a horse-drawn vehicle. In the event he uses a motor car he will get there an hour or an hour and a half sooner than if he uses a horse-drawn vehicle. Then, it is not fair to the carrier where this can not be done regularly, and for this reason, as was suggested by the gentleman from Ohio [Mr. FESS].

The carrier has to maintain a motor car and he has to maintain at least one horse and buggy, and on the days that he can not deliver the mail over the 50-mile route with a motor car he has to employ an additional substitute. That is to say, he has to maintain a horse and buggy, and he has got to maintain the motor car, and in addition to that on the days when he can not use the motor car he is obliged to employ a substitute to take the other end of the route and serve it.

I have an amendment here which I desire to offer at the proper place and time when the bill is under consideration, under the five-minute rule, which I believe will do much to increase the efficiency of the Rural Delivery Service. It is practical, and I want to explain it. I will send it to the desk and ask that the Clerk read it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, and tolls and ferrage, Rural Delivery Service, and for the incidental expenses thereof, \$48,500,000:

Provided, That not to exceed \$20,000 of the amount hereby appropriated may be used for the compensation of clerks in charge of rural stations: And provided further, That on and after July 1, 1916, rural carriers shall receive a salary not exceeding \$2,200 per annum, and their maximum salary shall be based on the length of their routes,

the time required to serve them, and the number of pieces and weight of mail transported: *And provided further*, That on and after July 1, 1916, the minimum compensation of rural carriers shall be as follows: On routes of 24 miles and over, six times a week, \$1,200 per annum, payable monthly; on routes 22 miles and less than 24 miles, \$1,152; on routes 20 miles and less than 22 miles, \$1,080; on routes 18 miles and less than 20 miles, \$960; on routes 16 miles and less than 18 miles, \$840; on routes 14 miles and less than 16 miles, \$720; on routes 12 miles and less than 14 miles, \$672; on routes 10 miles and less than 12 miles, \$624; on routes 8 miles and less than 10 miles, \$576; on routes 6 miles and less than 8 miles, \$528; on routes 4 miles and less than 6 miles, \$480. A rural carrier serving one tri-weekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two tri-weekly routes shall be paid on the basis for a route one-half of the combined length of the two routes.

Mr. HOWARD. Mr. Chairman, the only change in the present law that that makes is this: I make the minimum salaries of the carriers the maximum salaries they receive now. For instance, the carrier on the standard route of 24 miles would receive \$1,200. I think I know something about the practical end of this and I will tell you what it is. My experience in Congress, and I think it is the experience of practically every Member, has been that when a rural delivery route is 24 miles long and you have an application from constituents to get additional service, you find that in eight instances out of ten there will be lodged in the department an adverse report on an extension of that service. The reason for that is this: The carrier has absolutely no incentive to take on an additional amount of mileage, because he does not get an additional penny for this additional service. The result has been that when this administration went out and through its inspectors commenced to inspect the Rural Delivery Service, it found that hundreds and hundreds of families could be served in this country who were not being served at their door because of the fact that these routes did not lap over to meet the next route and the families between the standard routes received no efficient service. Here is what this amendment does. If we are going to have the parcel post, let us have an effectual parcel post. That is my idea about it. Every carrier in the United States to-day has absolutely no incentive to increase the Parcel Post Service of the country. His pay is not based on what he does. If he goes out and takes in a mile or 2 miles more which he can serve with a horse-drawn vehicle in certain localities he gets no more for it, and, therefore, the carrier, being human, does not want to take on an additional burden unless he gets some additional compensation.

And the result is that there are hundreds and hundreds of families in this country that are getting no service at all that would get service if these rural carriers became real boosters for the Government instead of holding back when they reach a certain standard pay. Now, this reward is held out, the maximum salary that can be obtained. It looks big. It is \$2,200 a year. Suppose a carrier goes out and takes on a mile and a half over the 24 miles. He gets in proportion to that mile and a half or 2 miles the additional service that he is willing to render, about \$50 a mile per annum. That is about what it will amount to. In other words, if he takes on 25 miles and the service justifies it, the department will pay him probably between \$40 and \$50 additional. It is according to the increased business the Government gets and it puts it on a business basis and it settles for ever and a day this question of rural delivery service. I believe as firmly as I believe I am living that there is not any carrier in the country who can take one horse and cover a route 31 or 32 miles a day and last at it. If a carrier covers a route of 31 or 32 miles a day he is supposed to have two horses and alternate with them and it is an additional expense on him and he gets no additional pay.

Mr. MAPES. Will the gentleman yield?

Mr. HOWARD. Yes, sir.

Mr. MAPES. The gentleman has made a study of this rural carrier service. In my district we have some complaint from the carriers in getting vehicles large enough to carry the parcel post at times. The complaint is that it piles up and some days they have to leave some of their parcel post until the next day. Has the gentleman any information about how the carriers take care of their mail and parcel post on these long routes?

Mr. HOWARD. Well, the truth of the business is, I think that is what brought the department to the automobile service. The people see a man coming along with a little piano-box buggy just big enough to get both of his feet in and he has no room to carry parcel post, and they do not think of using the parcel post like they would if they had some equipment for the handling of extensive parcel-post business. If the carrier got in that case in conformity with what he carried in parcel post he would go out and be the agent of the Government in inducing people to use the parcel post, because he would get additional pay. I tell you that my solemn judgment is that until the carrier is paid in conformity with the service rendered,

and only in conformity with the service rendered, that the Rural Delivery Service will never become as efficient an arm of the Government as it should become. Now I will yield to the gentleman from South Carolina [Mr. FINLEY].

Mr. FINLEY. I understand the gentleman's position to be that as the length of the route is increased the incentive to the carrier to work up the parcel post will be increased accordingly?

Mr. HOWARD. Yes, sir; and not only on the increased mileage assumed but along the entire route.

Mr. FINLEY. Well, I do not quite catch the logic of the gentleman's position. I would like for him to explain that.

Mr. HOWARD. The logic of it is just the same as the logic that moves the gentleman from South Carolina to accept one side of a law case where the fee in one case is \$1,000 and on the other side it is \$500, and the gentleman has both sides offered to him. What would he do? [Laughter.] Now, that is in answer to your whole rural-delivery proposition. If you will put the carrier's pay on a basis that he will get pay in conformity with the service rendered, there is no question about what the carrier will do. He would be a drone in the service if he did not go out and try to increase not only his number of patrons but increase the mileage, increase the use of the parcel post, and build up his route, because of the fact that the returns to the Government would fix the increase in the pay that this carrier would receive; and along that basis this amendment of mine seeks to remedy the evil that the department is trying to correct.

The CHAIRMAN. Will the gentleman yield to the gentleman from Iowa?

Mr. HOWARD. With pleasure.

Mr. DOWELL. Would you advise the extension of the routes beyond what they have been extended in the rearrangement and readjustment?

Mr. HOWARD. You mean beyond 30 miles for horse-drawn vehicles and 50 miles for the motor car?

Mr. DOWELL. Yes.

Mr. HOWARD. It would be a question entirely, I will say to the gentleman, of the condition of the roads. I think that is primarily the consideration to be taken cognizance of in the establishment of rural delivery service, and as to the character of the vehicle, whether horse drawn or motor driven.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOWARD. Will the gentleman from Tennessee yield me about five minutes more?

Mr. MOON. I hardly have it, but I reckon I had better let you go along if you will explain the maximum amount you want to pay the carrier.

Mr. DOWELL. May I ask you just one more question here?

Mr. HOWARD. I thank the gentleman from Tennessee for the courtesy. I thought the gentleman had seen the answer to it, it is so plain.

Mr. DOWELL. Should not the length of the route depend entirely upon the conditions and circumstances around that route?

Mr. HOWARD. I do. I think that is true. And I think every rural route in the United States has its own individuality; that is to say, I do not think there are any two of them in the country which are exactly alike.

Mr. SMITH of Michigan. And ought not the pay of the carrier to be based on the weight of the parcel, whatever the service performed?

Mr. HOWARD. I will tell you what I think about it. I think this: That weight, the number of pieces, and distance should control the carriers' pay, and I think that any other basis in the world is unfair. And I will tell you another thing, gentlemen: The rural carriers have not got any "snap." They go in all sorts of weather, but I do think that \$1,200, the maximum for a 24-mile route, taking into consideration the sparsely settled sections of the country, is pretty good pay for the rural carrier, if he serves that route with the horse-drawn equipment.

Now, here is what brought about this motor-car service. I am going to answer the gentleman from Tennessee [Mr. Moon] right now.

Mr. MOON. I will ask you what is the maximum that you fix in your amendment?

Mr. HOWARD. The maximum pay—and I am going to be frank with the committee about it, because I hope some gentlemen will study the amendment—the minimum pay under this amendment would be \$2,200. Now, I am willing to say that not many carriers in the United States within the next year or two would reach that maximum of \$2,200 under the provisions of that amendment. Why? Because when he got over 24 miles, what he received in addition to the maximum pay

as now established would be predicated entirely upon the amount of return to the Government; that is to say, if the number of patrons increased, if his weight increased, if his distance, if the number of pieces of mail increased under this amendment, he would get increased pay; but if he carried the minimum number of pieces of mail and served the minimum number of patrons, on a standard route of 24 miles, he would not receive an additional penny. It is purely an administrative matter, left entirely in the hands of the department, on which they act in conformity with the present minimum pay. That is the amendment as I intend it.

Mr. MOON. You think your amendment would not affect more than a few carriers?

Mr. HOWARD. I would not say that it would not affect but few eventually. If it did not, it would be a mighty poor amendment. And I will say this, that I think it will eventually affect thousands of rural carriers in the country, but I do not think a great many will ever attain the \$2,200 maximum pay provided for in this amendment.

Mr. MOON. The maximum pay now provided is \$1,200.

Mr. HOWARD. Twelve hundred dollars; yes, sir. That is the limit under my amendment, unless he takes on additional burdens. In that case the Government is reimbursed in additional returns in revenue. But this is an incentive. It is the reward that is held out, and, as I say, this possibly will take 25, 26, 27, and in some instances 28 miles, with a horse-drawn vehicle, and will do away with these experiments with motorization of service where it can not be done. Additional mileage will, of course, eventually culminate in consolidation, but in that case they would be efficient consolidations, for the carriers themselves would bring them about in an effort to increase their salaries. They would be "boosters" for "Uncle Sam" and his mail service instead of dissatisfied "knockers" of the service.

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

Mr. HOWARD. I will, with pleasure.

Mr. BEAKES. Can the gentleman explain how the maximum of pay can be increased and still reduce the total amount of the appropriation?

Mr. HOWARD. Why, yes; I will tell the gentleman how I can do it. It is very easily done. All the carriers will endeavor to take on more mileage to get more pay, and in the thickly populated States consolidations will take place that will balance the appropriation, and instead of decreasing the efficiency it would increase the efficiency, for the carrier and the patron would be the applicants for the increased service and all would work smoothly and harmoniously, and the poor Congressman would quit being cussed every time the department made a change in a rural route; and I did it for the further reason that I do not want the amendment to be subject to a point of order. I wanted it voted on. That is the reason. If the gentleman wants to put it up to within a hundred thousand dollars of what is in the bill, I have no objection; but if you will vote for my amendment you find that many of the difficult matters heretofore dealt with by your able committee will be eliminated from future discussions of the Post Office appropriation bill.

Mr. BEAKES. You want to incur a deficiency in that appropriation?

Mr. HOWARD. Not at all.

Mr. BEAKES. Then you want a number of rural routes cut out?

Mr. HOWARD. No. The department, in its estimates, estimated for \$4,500,000 less than the committee recommends.

Mr. BEAKES. Yes. They estimated that on the saving of the routes.

Mr. HOWARD. I do not go into the reason of it. If you want to put it within a hundred thousand dollars of what the committee recommended, I have no objection, for I am the last man in this House who would vote to impair the Rural Delivery Service. I am endeavoring to increase its usefulness and efficiency, and I believe this amendment will do so. I will further discuss it under the five-minute rule.

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

Mr. HOWARD. I ask unanimous consent, Mr. Chairman, to extend my remarks in the Record.

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

There was no objection.

Mr. MOON. 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. RAINEY, 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. 10484, the Post Office appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DENISON, for five days, on account of matters pertaining to the public business.

To Mr. PARKER of New York, indefinitely, on account of death in his family.

To Mr. HUGHES, indefinitely, on account of the serious illness of his son;

To Mr. RUSSELL of Missouri, five days, on account of matters pertaining to the public business.

CHANGE OF REFERENCE.

The SPEAKER. House joint resolution 112, providing for a committee to investigate certain matters relating to the matériel of the Army and Navy, treating of several things in general and nothing in particular, was referred to the Committee on Naval Affairs, because there was a good deal in it about the Navy; but it provides for the appointment of a committee instead of a commission, and it ought to be referred to the Committee on Rules. Without objection, the change of reference is made.

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 28 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 16, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War submitting a supplemental estimate of appropriation required for the service for the fiscal year ending June 30, 1917 (H. Doc. No. 692); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting a draft of legislation relating to the extension of the Federal building at Grand Rapids, Mich., in order to overcome crowded condition of the post-office quarters (H. Doc. No. 693); to the Committee on Public Buildings and Grounds and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting draft of legislation relative to the post-office building at Poughkeepsie, N. Y. (H. Doc. No. 694); to the Committee on Public Buildings and Grounds and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War submitting estimates of deficiencies in appropriations required by the Board of Managers, National Home for Disabled Volunteer Soldiers, for the services of the fiscal years 1915 and 1916 (H. Doc. No. 695); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication from the Acting Secretary of War submitting a supplemental estimate of appropriation for the purchase of land at Coronado Heights, Cal., for aviation-school purposes (H. Doc. No. 696); to the Committee on Military Affairs and ordered to be printed.

6. A letter from the Secretary of the Navy, transmitting draft of provision and requesting that the same be inserted in the next deficiency appropriation bill, authorizing the Secretary of the Navy to expend \$2,500 from the "Contingent and miscellaneous expenses, Hydrographic Office, 1916," for repairing building rented by Navy Department (H. Doc. No. 697); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Clatskanie River, Oreg., from Clatskanie City to the Columbia River (H. Doc. No. 698); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

8. A letter from the governor of Federal Reserve Board, transmitting second annual report of the Federal Reserve Board

for the period ended December 31, 1915 (H. Doc. No. 442); to the Committee on Banking and Currency and ordered to be printed.

9. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a special estimate of appropriation to cover cost of repairing bridges, roads, trails, buildings, etc., in National Park Reservation, Okla. (H. Doc. No. 699); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War, submitting supplemental estimates of appropriations for the service of the Panama Canal, for the fiscal year ending June 30, 1917 (H. Doc. No. 700); to the Committee on Appropriations and ordered to be printed.

11. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War, submitting a supplemental estimate of appropriation required by the War Department for the fiscal year ending June 30, 1917 (H. Doc. No. 701); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. IGOE, from the Committee on the Judiciary, to which was referred the bill (H. R. 8028) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported the same without amendment, accompanied by a report (No. 196), which said bill and report were referred to the House Calendar.

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 3144) to authorize the construction of a bridge across the Pend Oreille River, between the towns of Metaline and Metaline Falls, in the State of Washington, reported the same with amendment, accompanied by a report (No. 197), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 8248) to authorize the construction of a bridge across the Pend Oreille River, between the towns of Metaline and Metaline Falls, Wash., reported the same with amendment, accompanied by a report (No. 198), which said bill and report were referred to the House Calendar.

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (H. R. 10312) relating to appeals and writs of error and costs thereof, reported the same without amendment, accompanied by a report (No. 199), which said bill and report were referred to the House Calendar.

Mr. BYRNES of South Carolina, from the Committee on War Claims, to which was referred the bill (H. R. 8246) to revive the right of action under the act of March 12, 1863 (12 Stat. L., p. 820), reported the same with amendment, accompanied by a report (No. 200), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 9635) for the relief of the estate of Williamson Page, reported the same with amendment, accompanied by a report (No. 194), which said bill and report were referred to the Private Calendar.

Mr. RUSSELL of Ohio, from the Committee on Claims, to which was referred the bill (H. R. 8630) for the relief of the Farmer's State Bank, of Eureka, Woodford County, Ill., reported the same without amendment, accompanied by a report (No. 195), which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. RUSSELL of Ohio, from the Committee on Claims, to which was referred the bill (H. R. 7416) granting relief to Robert J. Shields, reported the same adversely, accompanied by a report (No. 192), which said bill and report were laid on the table.

Mr. YOUNG of North Dakota, from the Committee on Claims, to which was referred the bill (H. R. 2611) for the relief of William T. Roche, reported the same adversely, accompanied by a report (No. 193), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 975) granting a pension to Emeline Vanata; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4907) granting a pension to Michael E. McGrath; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SCULLY: A bill (H. R. 11531) to amend section 4472 of the Revised Statutes of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. McLEMORE: A bill (H. R. 11532) to provide for the erection of a public building at Kingsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. GARD: A bill (H. R. 11533) to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; to the Committee on the Judiciary.

By Mr. MONDELL: A bill (H. R. 11534) authorizing the State of Wyoming to select lands in lieu of lands heretofore selected by said State under various grants by the United States; to the Committee on the Public Lands.

By Mr. FULLER: A bill (H. R. 11535) to amend section 2 of an act to increase the pensions of widows, etc., approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 11536) providing for compulsory attendance of witnesses for accused in criminal cases, depositions, and for other purposes; to the Committee on the Judiciary.

By Mr. HOPWOOD: A bill (H. R. 11537) for the purchase of a site and the erection of a public building thereon at Somerset, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. NEELY: A bill (H. R. 11538) to amend section 2 of an act to increase the pensions of widows, etc., approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. BRUCKNER: A bill (H. R. 11539) for the reduction of the rate of postage chargeable on first-class mail matter for local delivery; to the Committee on the Post Office and Post Roads.

By Mr. KETTNER: A bill (H. R. 11540) to grant rights of way over Government lands for reservoir purposes, for the conservation and storage of water to be used by the city of San Diego, Cal., and adjacent communities; to the Committee on the Public Lands.

By Mr. TAGGART: A bill (H. R. 11541) to provide for the acquirement, by condemnation or otherwise, of four sites for factories for the manufacture of munitions and equipment for the Army and Navy of the United States; to the Committee on Public Buildings and Grounds.

By Mr. DILL: A bill (H. R. 11542) to amend an act entitled "An act to amend sections 2291 and 2297 of the Revised Statutes of the United States relating to homesteads"; to the Committee on the Public Lands.

By Mr. HOOD: A bill (H. R. 11543) to regulate the salaries of keepers of lighthouses; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11544) to provide for the retirement of officers and employees of the Bureau of Lighthouses and the Lighthouse Service; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: A bill (H. R. 11545) to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; to the Committee on the Judiciary.

By Mr. HAY: Resolution (H. Res. 140) authorizing index of hearings before Committee on Military Affairs; to the Committee on Accounts.

By Mr. KITCHIN: Resolution (H. Res. 141) authorizing payment to C. H. England; to the Committee on Accounts.

By Mr. MOORE of Pennsylvania: Joint resolution (H. J. Res. 152) directing the Ways and Means Committee to inquire

whether the President and the Senate may negotiate a treaty with Colombia modifying or repealing law providing for revenue without action on the part of the House of Representatives, and to report thereon; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 11546) granting an increase of pension to Myron Reynolds; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 11547) granting an increase of pension to Edith Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11548) authorizing the Secretary of War to confer upon Solomon Fish the congressional medal of honor; to the Committee on Military Affairs.

Also, a bill (H. R. 11549) granting an increase of pension to Eva Ross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11550) granting an increase of pension to Hattie B. Search; to the Committee on Invalid Pensions.

By Mr. ASWELL: A bill (H. R. 11551) for the relief of the estate of Charles Le Roy, deceased; to the Committee on Claims.

By Mr. BROWNE of Wisconsin: A bill (H. R. 11552) granting a pension to Mary M. Murray; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 11553) granting an increase of pension to Aaron Ready; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11554) granting an increase of pension to James T. Inman; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 11555) granting an increase of pension to Louisa Singer; to the Committee on Invalid Pensions.

By Mr. CHIPERFIELD: A bill (H. R. 11556) granting an increase of pension to Miller Hoffman; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 11557) granting a pension to Samuel B. Sheplor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11558) granting a pension to Dink Sexton; to the Committee on Pensions.

By Mr. DILL: A bill (H. R. 11559) for the relief of Frank Hartman; to the Committee on Claims.

By Mr. DOWELL: A bill (H. R. 11560) granting an increase of pension to Henry H. Stevens; to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 11561) granting an increase of pension to Albert Klein; to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 11562) granting an increase of pension to Eddy J. Workman; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 11563) for the relief of the Woman's Board of Domestic Missions, Reformed Church of America; to the Committee on Indian Affairs.

Also, a bill (H. R. 11564) granting an increase of pension to John Davis; to the Committee on Invalid Pensions.

By Mr. GANDY: A bill (H. R. 11565) granting an increase of pension to Clark N. Ditto; to the Committee on Invalid Pensions.

By Mr. GRAHAM: A bill (H. R. 11566) granting a pension to Elizabeth W. Jones; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 11567) for the relief of Robert McFarland; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 11568) granting an increase of pension to William Lendemann; to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 11569) granting a pension to Wilfred W. Murray; to the Committee on Pensions.

By Mr. KETTNER: A bill (H. R. 11570) granting an increase of pension to Martha J. Todd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11571) granting an increase of pension to Fred Opperman; to the Committee on Pensions.

Also, a bill (H. R. 11572) for the relief of Lily Danforth Bothwell; to the Committee on Military Affairs.

By Mr. KIESS of Pennsylvania: A bill (H. R. 11573) granting a pension to Charles B. Reid; to the Committee on Pensions.

By Mr. LAFEAN: A bill (H. R. 11574) granting an increase of pension to William H. Zeigler; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 11575) to remove the charge of desertion from the military record of William Cameron; to the Committee on Military Affairs.

By Mr. MAHER: A bill (H. R. 11576) granting an increase of pension to Jesse J. Barnwell; to the Committee on Pensions.

Also, a bill (H. R. 11577) granting an increase of pension to John Flood; to the Committee on Invalid Pensions.

By Mr. MOONEY: A bill (H. R. 11578) granting a pension to Mary E. Tanner; to the Committee on Invalid Pensions.

By Mr. MOSS of Indiana: A bill (H. R. 11579) to provide for the examination of Dr. H. H. Thacker for acting dental surgeon, United States Army; to the Committee on Military Affairs.

By Mr. NEELY: A bill (H. R. 11580) granting an increase of pension to Mary Petermann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11581) granting an increase of pension to Thornton A. Merrifield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11582) granting an increase of pension to Samuel Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11583) granting an increase of pension to Armstead B. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11584) for the relief of D. B. Barbour and A. P. Gladden, copartners doing business under the firm name Brown, Barbour & Gladden; to the Committee on Claims.

By Mr. OAKEY: A bill (H. R. 11585) granting an increase of pension to James Dagnan; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 11586) granting a pension to Sarah J. Donaldson; to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 11587) granting an increase of pension to Hiram W. Jackson; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 11588) granting medal of honor to Capt. William M. De Hart; to the Committee on Military Affairs.

Also, a bill (H. R. 11589) granting an increase of pension to John R. Barker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11590) granting an increase of pension to James Van Riper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11591) to correct the military record of John Callahan; to the Committee on Military Affairs.

Also, a bill (H. R. 11592) granting an increase of pension to David T. Manor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11593) granting an increase of pension to Winfield S. Stalnaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11594) granting an increase of pension to Sarah E. Fred; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11595) granting an increase of pension to Daniel Rawlings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11596) granting a pension to William H. Culler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11597) granting a pension to Albert De Witt Clinton Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11598) granting a pension to Sarah L. O'Connell; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 11599) for the relief of Marion Banta; to the Committee on Claims.

Also, a bill (H. R. 11600) granting an increase of pension to Norval L. Bennett; to the Committee on Pensions.

By Mr. SCHALL: A bill (H. R. 11601) granting a pension to Louis S. Harris; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 11602) granting an increase of pension to George Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11603) for the relief of Samuel Adams; to the Committee on Military Affairs.

By Mr. SHOUSE: A bill (H. R. 11604) granting an increase of pension to Sarah L. Robinson; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 11605) granting a pension to Mary Hutchinson; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 11606) to authorize the exchange of lot 10, section 19, township 45 north, range 114 west, sixth principal meridian, for certain private lands needed in connection with the construction of Jackson Lake Reservoir, Wyo., and for other purposes; to the Committee on the Public Lands.

By Mr. STINESS: A bill (H. R. 11607) granting an increase of pension to Thankful Pendleton; to the Committee on Invalid Pensions.

By Mr. TAGUE: A bill (H. R. 11608) granting a pension to Hugh A. Kelly; to the Committee on Pensions.

By Mr. THOMAS: A bill (H. R. 11609) granting a pension to Jennie S. Bunch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11610) granting an increase of pension to Elijah W. Taylor; to the Committee on Invalid Pensions.

By Mr. VAN DYKE: A bill (H. R. 11611) granting an increase of pension to Andrew J. Weidle; to the Committee on Pensions.

By Mr. WALKER: A bill (H. R. 11612) for the relief of the heirs of S. S. Barnard; to the Committee on War Claims.

By Mr. WASON: A bill (H. R. 11613) granting an increase of pension to Walter S. Lougee; to the Committee on Invalid Pensions.

By Mr. WM. ELZA WILLIAMS: A bill (H. R. 11614) for the relief of Edward B. Hughes; to the Committee on Military Affairs.

By Mr. WILLIAMS of Ohio: A bill (H. R. 11615) granting an increase of pension to Aaron B. Stutzman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN: Petition of 55 citizens of Cincinnati, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ANTHONY: Petitions of E. A. Wagner and others, of Meriden; G. H. Hedge and others, of Whiting; Edward E. Doughty and others, of Troy; L. A. Libel and others, of Wathena, all in the State of Kansas, against stamp tax on bank checks; to the Committee on Ways and Means.

By Mr. ASHBROOK: Evidence to accompany House bill 11489, for relief of Maria J. Anderson; to the Committee on Invalid Pensions.

By Mr. BARCHFELD: Memorial of Iron City Central Trades Council of Pittsburgh, Pa., against the repeal of the seamen's law; to the Committee on the Merchant Marine and Fisheries.

By Mr. BAILEY: Petition of Joseph E. Leap, Aaron Bacon, Joseph Dompokos, Elmer Prescott, and S. A. Myers, of Cassandra; M. K. Piper, C. G. Hughes, E. J. Hughes & Sons, R. J. Bender; Keystone Merchandise Co., H. H. Brady, manager; L. M. Sanderson, and Daniel Leabey, of Lilly, all in Cambria County, Pa., for the taxation of mail-order houses; to the Committee on Ways and Means.

By Mr. BRUCKNER: Petition of International Union of the United Brewery Workmen, against national prohibition; to the Committee on the Judiciary.

Also, petition of Edward F. Cole, of Yonkers, N. Y., protesting against any curtailment of mail deliveries in New York City; to the Committee on the Post Office and Post Roads.

Also, memorial of Foreign Service Camp, No. 87, United Spanish War Veterans, indorsing Senate bill 2526 and House bill 632; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: Papers to accompany bill granting an increase of pension to James T. Inman; to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Aaron Ready; to the Committee on Invalid Pensions.

Also, petition of A. J. Harris Chapter, United Daughters of the Confederacy, for a Confederate soldiers pension; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Petition of sundry depositors in banks of Kansas, against stamp tax on bank checks; to the Committee on Ways and Means.

By Mr. COPLEY: Evidence to accompany House bill 10436 for the relief of B. S. Pearsall; to the Committee on Claims.

By Mr. CARY: Petition of Albert T. Uscelt & Sons Co., of Milwaukee, Wis., favoring House bill 702, the dyestuffs bill; to the Committee on Ways and Means.

By Mr. CULLOP (by request): Petition of United Presbyterian congregation of Bloomington, Ind.; citizens of Washington, Ind.; Methodist Episcopal Sunday School, Brooklyn, Ind.; 16 citizens of Bicknell, Ind.; 72 citizens of Brooklyn, Ind.; and citizens of Monroe County, Ind., for national prohibition; to the Committee on the Judiciary.

By Mr. CURRY: Memorial of Board of Supervisors of Contra Costa County, Cal., favoring the establishment of a national leproserium; to the Committee on Appropriations.

By Mr. DALE of New York: Petition of Central Federated Union of Greater New York and vicinity, against national prohibition; to the Committee on the Judiciary.

Also, petition of Central Federated Union of Greater New York and vicinity, against change in seamen's law; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Association of Governmental Labor Officials of United States and Canada, favoring compensation for injured employees of the United States Government; to the Committee on the Judiciary.

Also, memorial of Washington (D. C.) Lodge, No. 15, of the Benevolent and Protective Order of Elks of the United States of America, against prohibition in District of Columbia; to the Committee on the District of Columbia.

By Mr. DARROW: Petition of Methodist Episcopal Church of Chestnut Hill, Philadelphia, Pa., favoring prohibition; to the Committee on the Judiciary.

By Mr. DILLON: Petition of sundry citizens of Scotland, S. Dak., favoring an embargo on arms; to the Committee on Foreign Affairs.

By Mr. DUNN: Petition of Langslow Lowler Co., of Rochester, N. Y., favoring House bill 702, the dyestuffs bill; to the Committee on Ways and Means.

Also, petition of Johnson Compound & Supply Co., of Rochester, N. Y., favoring House bill 702, the dyestuffs bill; to the Committee on Ways and Means.

By Mr. ELSTON: Memorial of prominent dentists of Alameda County, Cal., favoring legislation to increase the efficiency of the Dental Corps of the United States Army; to the Committee on Military Affairs.

By Mr. EMERSON: Petitions of sundry citizens of Cleveland and Orange Township, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ESCH: Petition of P. A. Hemmy and 34 others, of Humbird, Wis., protesting against Senate bill 901 and House bills 26, 677, 6823, and 6871, regarding prison-made goods; to the Committee on Labor.

Also, memorial of Washington (D. C.) Lodge, No. 15, of Benevolent and Protective Order of Elks, against prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FESS (by request): Petitions of citizens of the State of Ohio, favoring tax on mail-order houses; to the Committee on Ways and Means.

Also, petition of Epworth League, Grace Methodist Episcopal Church of Urbana, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FLYNN: Memorial of Washington (D. C.) Lodge, No. 15, Benevolent and Protective Order of Elks, against prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FULLER: Petition of Rockford (Ill.) Branch of International Wood Carvers' Association, favoring House bill 4770, relative to labeling, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of Schoolmasters' Club of Illinois, favoring Federal aid for vocational education; to the Committee on Education.

By Mr. GALLIVAN: Memorial of Railway Business Association, relative to inquiry into railroad regulation; to the Committee on Interstate and Foreign Commerce.

By Mr. HASTINGS: Papers to accompany House bill 11498, for relief of James M. Moore; to the Committee on Claims.

Also, papers to accompany House bill 11497, for relief of John Fishero; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: Petition of M. J. E. Allensworth and Methodist Protestant Church of Palermo, Carroll County, Ohio, for national prohibition; to the Committee on the Judiciary.

Also, petitions of the Presbyterian Church, Dr. S. B. McGavran, and 115 other citizens, of Cadiz, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HILL: Petition of Topham Leather Goods Co., of Washington, D. C., in favor of House bill 702, the dyestuffs bill; to the Committee on Ways and Means.

Also, petition of C. W. Pomery & Co., and the Gum, Dengler Co., of Chicago, Ill., favoring House bill 702, the dyestuffs bill; to the Committee on Ways and Means.

Also (by request), petition of John J. Reynolds and other citizens of Bridgeport, Conn., favoring the adoption of sundry House joint resolutions; to the Committee on Foreign Affairs.

By Mr. HILLIARD: Petition of H. S. Vickery and 16 others, of Colorado, against preparedness; to the Committee on Military Affairs.

Also, petition of L. A. Spring and 25 others, of Denver, Colo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Statement by Hon. F. M. Rumbold, in charge of Light Battery A, National Guard of Missouri, who for 35 years has been a member of the United States Army and National Guard, on the question of preparedness; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Petition of Workingmen's Independent Political Club of Providence, R. I., favoring creation of permanent tariff commission; to the Committee on Ways and Means.

By Mr. KETTNER: Resolution urging national and Pacific coast defense, by Chamber of Commerce, Santa Ana, Cal.; also

by San Diego Chapter of Woman's section of the Navy League; to the Committee on Military Affairs.

Also, petition urging prohibition in District of Columbia by national lecturer of Woman's Christian Temperance Union; also by San Diego County Woman's Christian Temperance Union; to the Committee on the District of Columbia.

Also, petition urging Federal censorship of moving-picture films, by Woman's Christian Temperance Union of San Diego County, Cal.; to the Committee on Education.

By Mr. KONOP: Memorial of International Union of the United Brewery Workmen of Green Bay and Appleton, Wis., against national prohibition; to the Committee on the Judiciary.

Also, petitions of citizens and business men of Oconto, Green Bay, Appleton, and Manitowoc, Wis., against prohibition in District of Columbia; to the Committee on the District of Columbia.

By Mr. LAFEAN: Memorial of Chamber of Commerce of San Diego, Cal., relative to railway mail pay; to the Committee on the Post Office and Post Roads.

Also, memorial of Central Federated Union, favoring seamen's law, etc.; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Washington (D. C.) Lodge, No. 15, Benevolent Protective Order of Elks, against prohibition in District of Columbia; to the Committee on the District of Columbia.

Also, memorial of Central Federated Union, against prohibition; to the Committee on the Judiciary.

By Mr. MATTHEWS: Petition of Zion Methodist Episcopal Sunday School of Grover Hill, Ohio, favoring embargo on arms, etc.; to the Committee on Foreign Affairs.

Also, petition of citizens of Delta and Wauseon, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. McDERMOTT: Memorial of the Illinois State Federation of Labor, urging passage of the ship-purchase bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. MAHER: Memorial of the National Guard Association of New York, favoring placing the National Guard under Federal control; to the Committee on Military Affairs.

Also, memorial of Washington (D. C.) Lodge, No. 15, Benevolent and Protective Order of Elks, opposing prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MOORE of Pennsylvania: Petitions of Marie Weidner and others and Holy Cross Evangelical Lutheran Congregation, of Philadelphia, Pa., favoring embargo on arms, etc.; to the Committee on Foreign Affairs.

Also, petition of German Sunday School Society of Philadelphia, Pa., against war measures; to the Committee on Military Affairs.

Also, petition of Best Kid Co., of Philadelphia, Pa., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. MORIN: Petition of E. C. Keyser, of Pittsburgh, Pa., protesting against any increase in Army or Navy appropriations; to the Committee on Appropriations.

By Mr. NEELY: Petition of 29 citizens of the first congressional district of West Virginia, asking that the report of the United States Commission on Industrial Relations, etc., be printed; to the Committee on Printing.

By Mr. NORTH: Memorial of Washington (D. C.) Lodge, No. 15, Benevolent and Protective Order of Elks, against prohibition in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of 68 citizens of Indiana County, Pa., favoring a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, petition of 21 citizens of Punxsutawney, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. OAKEY: Petition of principal and teachers of the public school of Windsor, Conn., favoring motion-picture commission; to the Committee on Education.

By Mr. OVERMYER: Memorial of Methodist Episcopal Official Board and Church of North Fairfield, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PAIGE of Massachusetts: Petition of 14 business firms in Palmer, 13 in Spencer, 3 in North Brookfield, 6 in Brookfield, 6 in Warren, 19 in Gardner, 8 in Orange, 14 in Athol, 13 in Fitchburg, 13 in Clinton, 14 in Winchendon, 15 in Webster, 15 in Southbridge, all in the State of Massachusetts, in favor of the enactment of House bill 5308; to the Committee on Ways and Means.

By Mr. RAKER: Petition of T. H. Reed and others, of Hawley, Cal., urging and requesting passage of the Ferris water-power bill; to the Committee on the Public Lands.

By Mr. SELLS: Petition for prohibition, asking that House joint resolutions 84 and 85 for constitutional amendment be passed; to the Committee on the Judiciary.

By Mr. SMITH of Texas: Petition of Foster Cotton Mills, of the State of Texas, favoring House bill 702, the dyestuffs bill; to the Committee on Ways and Means.

Also, petition of citizens of Taylor County, Tex., favoring preparedness; to the Committee on Military Affairs.

Mr. SMITH of Idaho: Memorial of Commercial Club of Buhl, Idaho, in favor of preparedness; to the Committee on Military Affairs.

Also, memorial of Commercial Club of Twin Falls, Idaho, favoring preparedness; to the Committee on Military Affairs.

Also, protest of National Spring & Wire Co., of Albion, against House bill 6414, to stamp goods; to the Committee on Interstate and Foreign Commerce.

By Mr. STINESS: Petition of Local No. 23, International Alliance of Theatrical Stage Employees, of Providence, R. I., against tax on theaters; to the Committee on Ways and Means.

Also, petition of Minntownah Council, No. 7, Junior Order of United American Mechanics, of Providence, R. I., favoring Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. SULLOWAY: Memorial of German-American Alliance of Manchester, N. H., against national prohibition; to the Committee on the Judiciary.

Also, petitions of Workingmen's Relief Society and German-American Alliance, of Manchester, N. H., against prohibition in the District of Columbia; to the Committee on the District of Columbia.

Also, memorial of German-American Alliance of Manchester, N. H., asking an amendment to the naturalization laws; to the Committee on Immigration and Naturalization.

Also, memorial of German-American Alliance of Manchester, N. H., favoring embargo on arms, etc.; to the Committee on Foreign Affairs.

By Mr. TILSON: Petition of Dr. William F. Smith, of Meriden, Conn., favoring amending Federal drug act; to the Committee on Agriculture.

By Mr. WARD: Petition of Ulster Paint Works, of Ellenville, N. Y., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. WASON: Resolutions of the Methodist Episcopal Church of Sunapee, N. H., representing 125 people, favoring national prohibition; to the Committee on the Judiciary.

Also, resolutions of Darwin M. Aldrich Camp, No. 9, United Spanish War Veterans, Department of New Hampshire, of Keene, N. H., favoring a larger and better Army and Navy; to the Committee on Military Affairs.

SENATE.

WEDNESDAY, February 16, 1916.

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

Almighty God, Thy name is our defense and our inspiration. Thou art our sun and our shield. Our little systems have their day; they have their day and cease to be. That which gives stability and permanency is the unchanging order of Thy kingdom. That which gives dignity and glory to our human obligation is our relation to the unchanging covenant of God. Help us to enter heartily and fully into the covenant that Thou hast made with us, that we may keep Thy law, that we may be governed by Thy will, and that we may accomplish Thy purpose on earth. We ask for Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House recedes from its disagreement to the amendment of the Senate numbered 1 to the bill (H. R. 9416) making appropriations to supply further urgent deficiencies in appropriations for the fiscal year ending June 30, 1916, and prior years, and for other purposes, and agrees to the same; insists upon its disagreement to the amendments of the Senate numbered 2, 5, 11, and 14; agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FITZGERALD, Mr. EAGAN, and Mr. CANNON conferees on the part of the House.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented petitions of the Building Trades Department, American Federation of Labor, and the Interna-