

Second Lieut. Henry M. Underwood.  
 Second Lieut. James B. Newman, jr.  
 Second Lieut. James M. Young.  
 Second Lieut. James C. Marshall.  
 Second Lieut. Walter E. Lorence.  
 Second Lieut. Meyer L. Cannon.  
 Second Lieut. Lucius Du B. Clay.  
 Second Lieut. Lloyd E. Niclens.  
 Second Lieut. Pierre A. Agnew.  
 Second Lieut. Alexander M. Neilson.  
 Second Lieut. Hoel S. Bishop, jr.  
 Second Lieut. Charles E. McKee.  
 Second Lieut. Robert H. Elliott.  
 Second Lieut. Samuel D. Sturgis, jr.  
 Second Lieut. Thomas H. Nixon.  
 Second Lieut. Anderson T. W. Moore.  
 Second Lieut. Reginald Whitaker.  
 Second Lieut. Eugene M. Caffey.

#### PROMOTIONS IN THE NAVY.

Marine Gunner Henry L. Hulbert to be second lieutenant in the Marine Corps.

#### REJECTION.

*Executive nomination rejected by the Senate July 13 (legislative day of July 11), 1918.*

W. H. B. Carter to be postmaster at Polson, Mont.

### HOUSE OF REPRESENTATIVES.

SATURDAY, July 13, 1918.

The House met at 12 o'clock noon.

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

God of the ages, our fathers' God and our God, author of liberty, we bow at its sacred shrine and would pour out our oblations in praise and gratitude to Thee for all the blessings vouchsafed to us as freemen; and we pray that Thy blessing may follow us and our allies in this last struggle, we trust, for the sacred rights of men.

We thank Thee that all kindred nations associated with us in the mighty struggle for liberty joined in the celebration of our natal day, and we bless Thee for the preparations now being made throughout our land to join with suffering France in the celebration of her natal day, the fall of the Bastille.

"The fellowship of kindred minds  
 Is like to that above."

May it hearten them and us and all lovers of liberty to press forward to a victory for peace, through Him who taught us the way, and the truth, and the life. Amen.

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

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, announced that the President had, on July 12, 1918, approved and signed joint resolution and bill of the following titles:

H. J. Res. 313. Joint resolution providing for the disposition of moneys represented in the Alfred Bernard Nobel peace prize, awarded in 1906; and

H. R. 10021. An act granting the consent of Congress to the county commissioners of Trumbull County, Ohio, to construct, operate, and maintain a bridge and approaches thereto across the Mahoning River in the State of Ohio.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 12229. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 12100. An act to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States, and for other purposes."

#### NATIONAL HOLIDAY OF FRANCE.

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

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

The Clerk read as follows:

Resolution (H. Res. 419) extending greetings to the Republic of France upon the anniversary of its national holiday, and urging the people of the United States to observe July 14, Bastille Day, as a mark of regard for the people of France.

Whereas the people and the Government of the Republic of France have expressed their friendship for the United States by celebrating the Fourth of July; and

Whereas the 14th of July, the national holiday of France, is similar in its significance to our Fourth of July; and

Whereas it is fitting that the American people should express their appreciation for the celebration in France of our Independence Day and their admiration for the sublime courage with which the people of France have for nearly four years defended the liberties of the world and give voice to the unalterable determination of America to support the common cause of free nations to the utmost limits of our resources: Now, therefore, be it

Resolved, That the House of Representatives of the United States of America hereby tenders fraternal greetings from the people of the United States of America to the people of the Republic of France, and urges all our citizens to observe the national holiday of France, July 14, as a mark of special regard for our associate nation.

Resolved further, That the Secretary of State be directed to transmit a copy of this resolution to the President of the Republic of France.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, and I do not intend to object, I wish to say that I objected to the resolution which the gentleman offered yesterday, but I have no objection to this resolution, which I have seen and which seems peculiarly fit and should be passed by the House, a similar one having been passed by a coordinate branch of Congress.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to ask whether this resolution has been submitted to any committee of the House.

Mr. BARKLEY. I have not submitted it to any committee.

Mr. MOORE of Pennsylvania. I wish to say that it is easily within the province and ability of any Member of this House to present a clever, patriotic resolution. He has a right to do it, I suppose. He can be as patriotic as he pleases, but when he introduces a resolution which commits the House of Representatives, and asks for its immediate passage without consideration by a committee, it seems to me he takes liberties with this great body. I am making the statement deliberately because on the Fourth of July a Member of the House rose, offered a resolution which was couched in patriotic terms, which any Member might write, asking unanimous consent to insert it in the Record. The unanimous consent was not given, although afterwards it appeared in the Record. It was one of those "We, the people of the United States," resolves, with certain preambles, that may or may not have comported to the dignity of the House of Representatives.

While I sympathize with what the gentleman from Kentucky has in mind, the resolution which he proposes provides that the Congress of the United States shall, through the Department of State, say so-and-so to the people of France and the world. It remains the literary production of the gentleman from Kentucky, however, and I think it is taking a great liberty with the Congress of the United States to ask that it be adopted, no matter how patriotic, without some deliberation by a committee of this body.

Mr. WALSH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. WALSH. This does not commit the Congress of the United States to anything; it simply is an expression of the House of Representatives. It is similar in tenor to the resolution passed yesterday by the Senate. It does not commit Congress in any respect.

Mr. MOORE of Pennsylvania. Now, we have the word of the gentleman from Massachusetts backing up the resolution of the gentleman from Kentucky, but no committee of this House in a deliberative meeting has determined to recommend a resolution of this kind. Even its accuracy as to grammar has not been scrutinized.

Now, Mr. Speaker, I am reserving my objection for the purpose of calling attention to the danger of permitting a Member of the House, whether he be a Democrat, a Socialist, a Republican, or a Prohibitionist, to inject his ideas into a resolution and have them given out to the world as the action of the Congress of the United States. Only a little while ago a resolution was introduced by a Member of the House which resolved that a certain song composed by one of his constituents

should be declared the national anthem of the United States. It was dropped in the box, and everybody knows what that means. It means nothing, except that a bill has been introduced, yet the publisher of that song put on the front page that it had been indorsed by the Congress of the United States in the resolution introduced by Mr. So-and-So—a fine advertisement for the gentleman who introduced the resolution. Surely a Member of the House who has a brilliant idea or a patriotic suggestion should be willing to wait a minute or two and let the matter be referred to a committee. The gentleman from Massachusetts may indorse the idea of the gentleman from Kentucky, but even so it ought to be considered by a committee before it goes forth as the action of Congress.

Mr. WALSH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Not for the present. Having been in session with the Ways and Means Committee for several weeks discussing the question of lobbies and propaganda, I have learned and seen enough of the manner in which so-called patriotic movements start fires under the people of the United States and their Congressmen in the interest of certain selfish interests sometimes that I hesitate before I accept as gospel everything which some Member may introduce in a resolution. Having said what I desired to say, I shall not object to what appears to be a patriotic resolution, but I intend to watch such resolutions hereafter.

Mr. MONDELL. Mr. Speaker, reserving the right to object, I shall not object, and I should not have said anything in regard to this matter, if it had not been for the remarks of the gentleman from Pennsylvania, which, I fear, may be misunderstood. The resolution before the House is an eminently proper one, couched in dignified language, similar, at least in its purport, to the resolution which has been adopted in the Senate. To-morrow is the anniversary of the fall of the Bastille, one of the great days in the world's history. I believe every Member of the House is thoroughly in sympathy with the purpose of the resolution, and I hope it will not only be not objected to, but that it will pass by a unanimous vote.

The SPEAKER. Is there objection? [After a pause]. The Chair hears none. The question is on agreeing to the resolution. The resolution was agreed to.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:  
To Mr. CONNELLY of Kansas, indefinitely, on account of official business; and

To Mr. BUTLER, indefinitely, on account of important business.

#### PNEUMATIC TUBES.

Mr. AYRES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter from the Postmaster General to the chairman of the Committee on the Post Office and Post Roads, Hon. JOHN A. MOON.

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD by publishing therein a letter from the Postmaster General to the chairman of the Committee on the Post Office and Post Roads. Is there objection?

There was no objection.

The letter referred to is as follows:

OFFICE OF THE POSTMASTER GENERAL,  
Washington, D. C., June 29, 1918.

Hon. JOHN A. MOON,  
Chairman Committee on the Post Office and Post Roads,  
House of Representatives, Washington, D. C.

MY DEAR JUDGE MOON: Just a line to congratulate you upon the final outcome of the contest with the pneumatic-tube incubus. Of course, no one knew better than you that this pneumatic-tube service was, from a postal standpoint, utterly inefficient and grossly extravagant, hence absolutely indefensible. You have been antagonizing this imposition upon the Postal Service for many years, and to you more than any other person the Postal Establishment is indebted for the fact that we are at last and for all time free from this unnecessary and unjustifiable burden.

In this connection, I also avail myself of the opportunity to thank you for the splendid services you have rendered the Post Office Department in the improvement of the mail service since you have been chairman of the Post Office Committee. It was largely through your aid that there has been brought about the change in the system of compensating the railroads for mail transportation. For an antiquated, obsolete, uneconomical system requiring quadrennial weighing of the mails by sections, which was not only unsatisfactory but unfair to the department and under which the railroads were afforded grounds for complaint that inadequate compensation was being received for services rendered, there has been substituted a modern system which is thoroughly scientific and under which, when it has been finally approved by the Interstate Commerce Commission and a fair rate fixed, the department will be in an attitude where it can call for no more space than is needed for efficient service and can pay for such space no more and no less than a fair rate to be fixed by an impartial tribunal.

The space-basis system is fair and just alike to the Government and the railroads. It relieved the department of a vexatious and what apparently was a perennial controversy with the railroads. With your

helpful assistance as chairman of the Post Office Committee, the department has been able to so adjust parcels-post rates and weights as to make this splendid service what you intended it should be when you fathered the parcel post, a beneficent godsend to the masses of the people, who have been quick to avail themselves of its advantages.

It was largely through your efforts that the first step has been taken toward the fixing of an equitable second-class postage rate, under which the department is partly relieved of the burdensome subsidy to magazines and newspapers, against which the various heads of the department have been crying out for years.

Under your administration as chairman efforts have been constantly made, and with a degree of commendable success, to strip the Postal Service of every species of favoritism and privilege, and you are entitled to take much pride and comfort in the fact that our Postal Service to-day is the equal in efficiency if not superior to any in the world.

I feel sure that in the future there will be no abatement of your energy, but that you will continue to give your valuable assistance in bringing about certain other postal reforms which are needed. If we could place post-office appointments for first, second, and third class offices under the classified civil service by the law and thus make permanent the divorcement of the department from all politics; and if we could secure a larger authority under the law for increasing the number of branch post offices, thus effecting not only great economy but a greater simplification of the accounting system; if we could secure authority under law for the department to bond its own employees by a plan of levying a small assessment, thus creating a guaranty fund as security against losses of postal funds; and if we could postalize the telegraphs and telephones, I feel that you could lay down the burden of your chairmanship with a feeling of confidence that certainly never in the past, and probably never in the future, would the record made be surpassed.

Again I want to extend to you, speaking for myself as head of the department and all those who are responsible with me for its proper and efficient conduct, sincere thanks for your splendid and valuable assistance to us.

Your friend,

(Signed) A. S. BURLESON.

#### EXTENSION OF REMARKS.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in respect to a misunderstanding about the vote upon the draft and volunteers.

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. BARNHART. Mr. Speaker, reserving the right to object, on what does the gentleman intend to extend his remarks?

Mr. LITTLE. On the draft and volunteers—upon a misunderstanding about the vote.

Mr. BARNHART. To be the gentleman's own remarks?

Mr. LITTLE. Yes.

The SPEAKER. Is there objection?

There was no objection.

#### STANDARDIZATION OF SCREW THREADS.

Mr. TILSON. Mr. Speaker, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TILSON. Mr. Speaker, there is upon the Speaker's table a conference report upon the bill (H. R. 10852) providing for the appointment of a commission to standardize screw threads. That conference report has been on the Speaker's table for some days. The chairman of the committee reporting the bill has been necessarily called from the city and the other members of the conference committee are out of the city at this time. The bill was passed by a practically unanimous vote by both branches of Congress and it is very desirous to have the conference report agreed to and the bill become a law. My inquiry is this: Can any other member of that committee, who was not a member of the conference committee, or can I, as the one who introduced the bill originally, call up the conference report for adoption?

The SPEAKER. It is rather irregular, but the Chair will recognize the gentleman to call it up after we get through with the vote upon the President's veto on the Agricultural appropriation bill.

#### DEPARTMENT EMPLOYEES SUBJECT TO MILITARY SERVICE.

The SPEAKER laid before the House the following communication from the Secretary of War, which was ordered to be printed in the RECORD and to lie upon the Speaker's table:

WAR DEPARTMENT,  
Washington, July 11, 1918.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: In response to House resolution No. 371, of June 3, 1918, I transmit herewith a list showing the number of men in the service of the War Department at Washington who were on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked by the department and allowed, the name and home address of each such person, the character of work he is performing, and the length of time he has been in such service; also a similar list of those who have received commissions since date of exemption.

Another list of persons employed in the field service of the department will be submitted as soon as the data therefor can be obtained.

Very respectfully,

NEWTON D. BAKER,  
Secretary of War.



List showing the number of men in the service of the War Department in the District of Columbia who were on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked by the department and allowed, the name and home address of each such person, the character of work he is performing, and the length of time he has been in such service.

Name.	Office.	Home address.	Character of work.	Length of time in service.
Daniel A. Garrahan.....	Secretary of War.....	Hazleton, Pa.....	Preparing reports to the Auditor for the War Department of changes submitted in status of civilian employees. Physically disqualified for military service and placed in class 1, limited (for clerical service only), prior to exemption.	Appointed July 5, 1917.
Marquis T. Albertson.....	The Adjutant General.....	537 Twenty-first Street NW., Washington, D. C.	By reason of the ability and aptitude displayed by him while an employee of this office, coupled with his great perseverance and close application to duty, Mr. Albertson was placed in charge of the statistical section of the enlisted division of this office about a month ago, then in process of organization, and has had immediate supervision of that section ever since. This section, which now numbers 149 employees, is engaged in the organization work of arranging and numbering enlistment papers and the preparation of the data for the Provost Marshal General necessary in determining the quotas of the several States. It is also engaged upon certain organization work connected with the prompt notification to relatives concerning the fate or whereabouts of our soldiers. This is very important work, is urgently demanded by the public, and Mr. Albertson is the only man in this office who is now available for the supervision of that work, which requires experience, good judgment, and administrative qualities.	Appointed Jan. 3, 1917.
Bert C. Gardner.....	do.....	2117 G Street NW., Washington, D. C.	By reason of the ability and aptitude displayed by him while an employee of this office, coupled with his great perseverance and close application to duty, Mr. Gardner has been placed in charge of the arrangement, filing, and active operation of the enlisted records of this office, now in process of preparation, and has immediate supervision of that work. This file, which when completed will constitute a self-indexed record of every enlisted man in the Army, is considered of vital importance in the successful prosecution of the work of the office. Much remains yet to be done in the arrangement of this file before its completion, so that it may be successfully operated in connection with a prompt notification to relatives concerning the fate or whereabouts of our soldiers and expeditiously furnish this and other information regarding them. This information is urgently demanded by the public, and the arrangement of the file is essential to the prompt dispatch of the business of this office. Mr. Gardner is the only man in the office who is now available for the supervision of the work described, which requires experience, good judgment, and administrative qualities, all of which are possessed by him.	Appointed Nov. 1, 1916.
Charles Kothe.....	do.....	1436 R Street NW., Washington, D. C.	By reason of the ability and aptitude displayed by him while an employee of this office, coupled with his great perseverance and close application to duty, Mr. Kothe was selected some time ago for the important position of assistant chief of the Mail and Files Division of this office. The position occupied by Mr. Kothe requires of him not only a complete knowledge of the scheme of Army correspondence and its ramifications and details, but experience, good judgment, and administrative qualities, all of which are possessed by him, and he is the most capable man in the office who is now available for the position.	Appointed Feb. 1, 1912.
Edward H. Hess.....	do.....	2006 G Street NW., Washington, D. C.	That Edward H. Hess is employed as a clerk in the Miscellaneous Division of this office on the work of enciphering and deciphering cablegrams sent to and received from the American Expeditionary Forces; that he has been thoroughly trained in that work and his services are greatly needed in connection therewith; that the demand for competent code clerks is greater than the supply and that Mr. Hess's absence from the work would seriously interfere with its prompt dispatch; that for these reasons the said Edward H. Hess is necessary to the adequate and effective operation of the Miscellaneous Division of The Adjutant General's Office and can not be replaced by another person without substantial, material loss in the adequate and effective operation of said division.	Appointed May 14, 1917.
Charles Geisenfeld.....	Quartermaster General.....	530 Vliet Street, Milwaukee, Wis.	Principal clerk of the Enlisted Branch, Personnel Division, handling all details in connection with the proper operation and administration of the affairs of the Quartermaster Corps, Regular Army, the Quartermaster Corps, National Guard, also supervising a force of 89 clerks.	Appointed Oct. 11, 1911. Resigned Nov. 1, 1916. Reinstated June 5, 1917.
Thomas Bigham.....	do.....	Fairfield, Adams County, Pa.	Assigned to duty in office of the chief clerk, handling all matters pertaining to printing and binding for the Quartermaster Corps, advertising and miscellaneous duties connected with the Office Service Branch.	Appointed Aug. 27, 1909.
Raymond E. Read.....	do.....	1810 Calvert Street NW., Washington, D. C.	Principal clerk of the Expeditionary Cable Branch, handling all cablegrams to and from Gen. Pershing pertaining to Quartermaster Corps business.	Appointed July, 1911. Resigned Oct. 5, 1916. Reinstated June 1, 1917.
Don F. Lauro.....	do.....	81 Degraw Street, Brooklyn, N. Y.	File clerk in the Bakery Division, engaged in very important work in that division.	Appointed Oct. 2, 1917.
F. J. Dodsworth.....	do.....	Natick, R. I.....	Engaged upon statistical work in the Subsistence Division.	Appointed Jan. 11, 1918.
Harry E. Rimert.....	do.....	409 Eleventh Street, Portland, Oreg.	Has special qualifications in railroad work and is engaged upon work requiring a technical knowledge of classification and familiarity with Army Regulations.	Appointed Aug. 8, 1917.
John C. Evans.....	do.....	21 Regent Street, Wilkes-Barre, Pa.	Employed as a statistical draftsman.....	Appointed Dec. 19, 1917.
Arthur F. Lafrentz.....	War Credits.....	New York City.....	Assistant chief examiner. Mr. Lafrentz's commission is pending as a captain in the National Army.	Appointed Jan. 5, 1918.

List showing the number of men in the service of the War Department in the District of Columbia, etc.—Continued.

Name.	Office.	Home address.	Character of work.	Length of time in service.
Bruce Keener, jr.	Chief of Staff.	Portner Apartments, Washington, D. C.	Material man.	Since Nov. 28, 1917.
Harry Blumberg.	do.	1013 Asquith, Baltimore, Md.	Buyer of materials.	Since July 15, 1917.
Joseph Levy.	do.	Northumberland Apartments.	Principal clerk.	Since June 9, 1917.
Ed L. Keeling.	do.	2817 Twenty-seventh Street N.W., Washington, D. C.	Engineering draftsman.	Since June 1, 1917.
F. E. Kaufman.	do.	Riverdale, Md.	Technical assistant.	Since June 17, 1917.
Joseph V. Connolly.	Chief of Engineers.	Fall River, Mass.	In clerical charge of the Fortification and Mapping Section, responsible for the administration of a section containing 15 clerks. Owing to a lack of experienced employees in the section, he is compelled, in addition to the supervisory work properly incumbent on a chief of division, to handle a very large proportion of the detail work, necessitating a knowledge upon his part of Government accounting, of the constructional details of fortifications, mechanical details of appurtenances, technical details of mapping, and laws and regulations regarding land titles, leases, and licenses affecting Government land, and all other activities of the Engineer Department regarding seacoast fortifications and military mapping.	Appointed Jan. 2, 1912.
Ray W. Ireland.	do.	Huntington, Huntington County, Ind.	Assistant Chief of the Equipment and Construction Division, comprising about 70 employees. Owing to a lack of experienced employees in this division, Mr. Ireland's services are considered absolutely essential to the conduct of the work.	Appointed Apr. 4, 1913.
Joseph W. Kimbel.	do.	Riverside, Northumberland County, Pa.	Handles such matters as approval of bridge plans, the granting of permits for wharves, dams, and other structures in navigable waters, and the drafting and enforcement of regulations for such structures and for anchorage and movement of vessels. The frequent emergency applications from both public and private sources for permits of the above character, received in connection with war operations, must be handled with the utmost dispatch and with due regard for existing laws and regulations. This work involves a high order of ability and a knowledge of laws and precedents which can only be acquired as a result of extensive experience. No other employee is available or can be readily trained to handle the duties of Mr. Kimbel.	Appointed July 22, 1913.
Leland H. Schenck.	do.	Topeka, Kans.	Handles all financial matters in the Equipment and Construction Division. The appropriations handled during the current fiscal year aggregate about \$400,000,000. These duties require, in addition to greater care and accuracy than is possessed by the average person, a very considerable knowledge of Engineer Department financial methods. No other employee is available or can be readily trained to handle the duties of Mr. Schenck.	Appointed Oct. 29, 1917.
Emmett C. Bailey.	Chief Signal Officer.	Milwaukee, Wis.	Radio engineer in the trans-Atlantic special radio stations section of the radio development section.	Appointed Mar. 25, 1918.
George A. Graham.	do.	Baltimore, Md.	Specification engineer.	Appointed Sept. 15, 1913.
E. P. Appar.	Aircraft Production.	54 Glenwood Avenue, Jersey City, N. J.	Acting chief inspector of miscellaneous supplies, inspection department.	8 months.
Chas. B. Blanchard.	do.	Brookline, Mass.	In charge of industrial furloughs section, personnel department.	3½ months.
R. E. G. Chauveau.	do.	1725 Seventeenth Street N.W., Washington, D. C.	Inspector of ignition, inspection department.	7 months.
Elmer A. Clark.	do.	Curtiss Aeroplane & Motor Corp., Buffalo, N. Y.	Inspector, inspection department.	17 months.
J. M. Clark.	do.	New Brighton, N. Y.	Editorial assistant, inspection manual, inspection department.	6½ months.
L. A. Cookson.	do.	1414 V Street, Washington, D. C., apartment 403.	Aeronautical mechanical engineer, inspection department.	9 months.
R. M. Crawford.	do.	New Haven, Conn.	Executive assistant editor inspection manual, inspection department.	7 months.
J. R. Crippen.	do.	1623 Russel Street, Detroit, Mich.	Assistant in following production and distribution of instruments, ordnance and instrument department.	8 months.
John C. Eakle.	do.	1108 East Capitol Street, Washington, D. C.	Engineer representative of Chemical Section, Materials Department.	2 months.
Park E. Edwards.	do.	Lancaster, Pa.	Mechanical draftsman, Lubrication Department.	3½ months.
J. C. Goddard, jr.	do.	203 Shepherd Street, Chevy Chase, Md.	Inspector, Inspection Department.	5½ months.
N. C. Grannis.	do.	Congress Hall Hotel, Washington, D. C.	Tester of airplane motors, Lubrication Department.	7 months.
S. J. Green.	do.	208 West Eightieth Street, New York City.	Tester, Lubrication Department.	8 months.
Wm. A. Hutchinson.	do.	Somerville, N. J.	Refining and laboratory expert, Lubrication Department.	4 months.
H. W. Johnson.	do.	University Place, Harvard, Nebr.	Radio Inspector, Inspection Department.	7 months.
A. L. Krey.	do.	442 K Street N.W., Washington, D. C.	Aeronautical mechanical engineer, Inspection Department.	6 months.
Earle J. McClees.	do.	762 North Forty-first Street, Philadelphia, Pa.	Production expert and assistant to head of Spares Engine Production Section.	4½ months.
A. McNaughton.	do.	Collingdale, Pa.	Designer airplane motor gauges, Production Engineering Department.	7 months.
Wm. H. Mitchell.	do.	1630 North Bond Street, Baltimore, Md.	Draftsman, Planning Department.	4½ months.
Moritz Mueller.	do.	1616 East Sixty-fifth Street, Seattle, Wash.	Aeronautical mechanical engineer, Inspection Department.	4½ months.
J. R. Reed.	do.	Chicago, Ill.	Radio production engineer, Ordnance and Instrument Department.	2½ months.
E. C. Russell.	do.	Goodyear Flying Field, Akron, Ohio.	Production expert, Balloon Production Department.	4½ months.
W. F. Sandman.	do.	Indianapolis, Ind.	Designer airplane motor gauges, Production Engineering Department.	9 months.
Edwin G. Schloss.	do.	114 East Seventy-third Street, New York City.	Production expert, Plywood Section, Materials Department.	2½ months.
G. W. Stimson.	do.	Detroit, Mich.	Inspector, Lubrication Department.	7 months.
J. Charles Stratt.	do.	2211 West Fayette Street, Baltimore, Md.	Mechanical draftsman, Materials Department.	3 months.
S. B. Vrooman, jr.	do.	1416 North Fifteenth Street, Philadelphia, Pa.	Inspector, Inspection Department.	6½ months.



List showing the number of men in the service of the War Department in the District of Columbia, etc.—Continued.

Name.	Office.	Home address.	Character of work.	Length of time in service.
T. A. Wadden.....	Aircraft production.....	Madison, S. Dak.	Assistant to Chief Inspector of Clothing and Equipment, Inspection Department.	5½ months.
Harry V. Luikart.....	Ordnance.....	Cleveland, Ohio.	Supervisor of accounts.	Appointed Dec. 27, 1917.
J. D. Cremer, Jr.....	do.....	212 First Street SE., Washington, D. C.	Research work in compiling answers to requests for information.	Appointed Jan. 5, 1918.
B. E. Barnes.....	do.....	East Orange, N. J.	Draftsman.	Appointed Oct. 26, 1917.
L. M. Bell.....	do.....	Monocacy, Pa.	do.....	Appointed Apr. 11, 1918.
H. P. Booney.....	do.....	Fitchburg, Mass.	do.....	Appointed Oct. 20, 1917.
N. Brubaker.....	do.....	Washington, D. C.	do.....	Appointed Oct. 15, 1917.
J. J. Bucher.....	do.....	Dayton, Ohio.	do.....	Appointed Nov. 19, 1917.
Frank Case.....	do.....	Canton, Ohio.	do.....	Appointed Jan. 21, 1918.
J. E. Collins.....	do.....	Canton, Pa.	do.....	Appointed Nov. 16, 1917.
J. A. Cushman.....	do.....	Baltimore, Md.	do.....	Appointed Jan. 8, 1918.
C. M. Edwards.....	do.....	Brooklyn, N. Y.	do.....	Appointed Oct. 8, 1918.
J. Ecker.....	do.....	Richmond, Va.	do.....	Appointed June, 1917.
Paul Fitzpatrick.....	do.....	Brooklyn, N. Y.	do.....	Appointed Jan. 11, 1918.
Harry Folkes.....	do.....	Passaic, N. J.	do.....	Appointed Dec. 10, 1917.
Harry Grasso.....	do.....	New York City.	do.....	Appointed Dec. 24, 1917.
J. Harber.....	do.....	Cleveland, Ohio.	do.....	Appointed Oct. 15, 1917.
E. C. Henn.....	do.....	do.....	do.....	Appointed Nov. 7, 1917.
C. L. Henn.....	do.....	do.....	do.....	Do.
W. L. Helmer.....	do.....	Seranton, Pa.	do.....	Appointed Nov. 3, 1917.
E. W. Irons.....	do.....	Syracuse, N. Y.	do.....	Appointed Nov. 5, 1917.
P. F. Ireland.....	do.....	Lima, Ohio.	do.....	Appointed Oct. 4, 1917.
E. Jordan.....	do.....	New York City.	do.....	Appointed Jan. 15, 1918.
H. F. Lange.....	do.....	Cleveland, Ohio.	do.....	Appointed Sept. 20, 1917.
L. J. Lalime.....	do.....	Providence, R. I.	do.....	Appointed Nov. 1, 1917.
T. F. Matson.....	Chief of Ordnance.....	Goodell, Iowa.	do.....	Appointed Oct. 17, 1917.
C. E. Palmatier.....	do.....	Syracuse, N. Y.	do.....	Appointed Dec. 4, 1917.
Earl Polmateer.....	do.....	Avoca, N. Y.	do.....	Appointed Jan. 3, 1918.
E. L. Sack.....	do.....	Lakewood, Ohio.	do.....	Appointed Nov. 5, 1917.
B. Weiss.....	do.....	New York City.	do.....	Appointed Oct. 11, 1917.
R. E. Warren.....	do.....	Cleveland, Ohio.	do.....	Appointed Nov. 8, 1917.
G. W. Wilson.....	do.....	Washington, D. C.	do.....	Appointed Nov. 21, 1917.
L. D. Wright.....	do.....	Battle Creek, Mich.	do.....	Appointed May 15, 1918.
Edward Arlesser.....	do.....	Washington, D. C.	do.....	Appointed Apr. 30, 1918.
C. J. Berardo.....	do.....	Brooklyn, N. Y.	do.....	Appointed Apr. 29, 1918.
Joseph Cushing.....	do.....	Woodbrook, Md.	do.....	Appointed Apr. 27, 1918.
Donald Cameron.....	do.....	Flint, Mich.	do.....	Appointed May 6, 1918.
Ellis Charles.....	do.....	Wichita, Kans.	do.....	Appointed Apr. 30, 1918.
Wm. Cavender.....	do.....	Syracuse, N. Y.	do.....	Appointed May 6, 1918.
B. F. Fallon.....	do.....	Salem, Mass.	do.....	Appointed May 21, 1918.
J. P. Heer.....	do.....	Chicago, Ill.	do.....	Appointed Nov. 17, 1917.
I. S. Hilliard.....	do.....	East Jordan, Mich.	do.....	Appointed May 1, 1918.
F. H. Holloway.....	do.....	Rochester, N. Y.	do.....	Do.
E. P. Huttger.....	do.....	Philadelphia, Pa.	do.....	Appointed May 17, 1918.
Edwin James.....	do.....	Cincinnati, Ohio.	do.....	Appointed May 1, 1918.
Frank Karger.....	do.....	Boston, Mass.	do.....	Appointed May 22, 1918.
B. Keesee.....	do.....	Winnebago, Wis.	do.....	Appointed May 4, 1918.
C. Lindberg.....	do.....	Kewanee, Ill.	do.....	Appointed Apr. 30, 1918.
E. L. Laushell.....	do.....	Louisville, Ky.	do.....	Appointed May 24, 1918.
M. McCann.....	do.....	Pittsburgh, Pa.	do.....	Appointed May 20, 1918.
J. J. Malsey.....	do.....	Grange, Ill.	do.....	Appointed May 22, 1918.
Edward Mihaljak.....	do.....	Chicago, Ill.	do.....	Appointed Apr. 22, 1918.
Frank Meindl.....	do.....	do.....	do.....	Appointed Apr. 20, 1918.
Alex North.....	do.....	Milwaukee, Wis.	do.....	Appointed Apr. 1, 1918.
James Niemeyer.....	do.....	St. Paul, Minn.	do.....	Appointed Apr. 13, 1918.
C. W. Bencia.....	do.....	Logansport, Ind.	do.....	Appointed Apr. 25, 1918.
A. A. Bank.....	do.....	Chicago, Ill.	do.....	Appointed Apr. 22, 1918.
L. Edwards.....	do.....	Springfield, Ill.	do.....	Appointed Apr. 21, 1918.
F. G. Gerold.....	do.....	Brooklyn, N. Y.	do.....	Appointed Mar. 1, 1918.
V. D. Gorsuch.....	do.....	Columbus, Ohio.	do.....	Appointed May 23, 1918.
Roy Goppelsroeder.....	do.....	Chicago, Ill.	do.....	Appointed Feb. 18, 1918.
R. E. Hagen.....	do.....	do.....	do.....	Appointed May 7, 1918.
Fred Hager.....	do.....	Spencerport, N. Y.	do.....	Appointed Jan. 11, 1918.
R. Howard.....	do.....	Toledo, Ohio.	do.....	Appointed July 1, 1918.
E. M. Lorscheider.....	do.....	Rochester, N. Y.	do.....	Appointed Feb. 25, 1918.
H. P. Langill.....	do.....	Holliston, Mass.	do.....	Appointed Feb. 23, 1918.
O. Nestmann.....	do.....	Chicago, Ill.	do.....	Appointed Feb. 23, 1918.
Geo. Peterson.....	do.....	do.....	do.....	Appointed Feb. 23, 1918.
Wm. Riewaldt.....	do.....	Cleveland, Ohio.	do.....	Appointed Apr. 13, 1918.
A. E. Roberts.....	do.....	Chicago, Ill.	do.....	Appointed Apr. 6, 1918.
R. J. Rohrdantz.....	do.....	Buffalo, N. Y.	do.....	Appointed Dec. 14, 1917.
J. L. Zetterman.....	do.....	Shickley, Nebr.	do.....	Appointed Nov. 12, 1917.
E. W. Allardt.....	do.....	Cleveland, Ohio.	do.....	Appointed Nov. 1, 1917.
E. W. Cochran.....	do.....	Washington, D. C.	do.....	Appointed Sept. 20, 1917.
Wm. Cleare.....	do.....	Fall River, Mass.	do.....	Appointed Sept. 24, 1917.
E. P. Dorsey.....	do.....	Hartford, Conn.	do.....	Appointed Dec. 18, 1917.
E. N. Hard.....	do.....	Elyria, Ohio.	do.....	Appointed Nov. 15, 1915.
A. L. Laurell.....	do.....	Newberg, N. Y.	do.....	Appointed Oct. 1, 1917.
M. F. Massey.....	do.....	Washington, D. C.	do.....	Appointed Oct. 8, 1917.
E. J. McCormick.....	do.....	Alexandria, Va.	do.....	Appointed Jan. 9, 1918.
R. M. Searle.....	do.....	Worcester, Mass.	do.....	Appointed Aug. 13, 1917.
William Poloway.....	do.....	Baltimore, Md.	do.....	Appointed Oct. 25, 1917.
H. C. Swain.....	do.....	Washington, D. C.	do.....	Appointed Oct. 1, 1917.
Wm. Shields.....	do.....	do.....	do.....	Appointed Jan. 10, 1918.
G. S. Stoup.....	do.....	Lester, Ohio.	do.....	Appointed Nov. 28, 1917.
D. B. Spencer.....	do.....	Washington, D. C.	do.....	Appointed Jan. 17, 1918.
H. G. Towner.....	do.....	New Haven, Conn.	do.....	Appointed Mar. 29, 1918.
M. Alexander.....	do.....	Washington, D. C.	do.....	Appointed Dec. 31, 1917.
G. M. Baker.....	do.....	St. Paul, Minn.	do.....	Appointed Apr. 16, 1918.
E. D. Brink.....	do.....	Providence, R. I.	do.....	Appointed Feb. 11, 1918.
Sidney Burton.....	do.....	Brooklyn, N. Y.	do.....	Appointed Mar. 9, 1918.
J. Dannhardt.....	do.....	Columbus, Ohio.	do.....	Appointed Feb. 9, 1918.
T. F. Doelker.....	do.....	Cincinnati, Ohio.	do.....	Appointed Dec. 27, 1917.
G. A. Doelker.....	do.....	Lansing, Mich.	do.....	Appointed Feb. 28, 1918.
N. B. Eichelberger.....	do.....	Chicago, Ill.	do.....	Appointed Mar. 13, 1918.
E. G. Fredell.....	do.....	Brooklyn, N. Y.	do.....	Appointed Jan. 30, 1918.
Richard Goo.....	do.....	Charles, Mo.	do.....	Appointed Jan. 25, 1918.
P. F. Kammerlen.....	do.....	Rochester, N. Y.	do.....	Appointed Feb. 18, 1918.
J. G. Lipsky.....	do.....	Philadelphia, Pa.	do.....	Appointed Feb. 25, 1918.
C. Moore.....	do.....	Cincinnati, Ohio.	do.....	Appointed Feb. 11, 1918.
F. W. Mossmeier.....	do.....	Freeport, Ill.	do.....	Appointed Oct. 3, 1917.
J. C. Nix.....	do.....	Chicago, Ill.	do.....	Appointed Mar. 2, 1918.
O. Nielson.....	do.....	Milwaukee, Wis.	do.....	Appointed Sept. 21, 1917.
J. J. Schmitt.....	do.....	Washington, D. C.	do.....	Appointed May 8, 1917.
K. R. Templeton.....	do.....	Cincinnati, Ohio.	do.....	
A. Andriessen.....	do.....		do.....	

List showing the number of men in the service of the War Department in the District of Columbia, etc.—Continued.

Name.	Office.	Home address.	Character of work.	Length of time in service.
T. E. Bartlett	Chief of Ordnance	Philadelphia, Pa.	Draftsman	Appointed Oct. 2, 1917.
A. S. Beyland	do	Newport, Ky.	do	Appointed Oct. 26, 1917.
A. J. Bohrer	do	Cleveland, Ohio	do	Appointed Nov. 7, 1917.
J. E. Burgess	do	Washington, D. C.	do	Appointed Oct. 8, 1917.
R. E. Belcher	do	Warren, Ohio	do	Appointed Dec. 13, 1917.
J. O. Branks	do	Gainesville, Wis.	do	Appointed Feb. 25, 1918.
W. H. Baslet	do	Chicago, Ill.	do	Do.
W. S. Benes	do	Milwaukee, Wis.	do	Appointed Feb. 27, 1918.
H. Coleman	do	Washington, D. C.	do	Appointed Sept. 8, 1917.
O. Czirr	do	Buffalo, N. Y.	do	Appointed Nov. 26, 1917.
E. C. Coleman	do	do	do	Appointed Dec. 22, 1917.
Edward Doyme	do	Gary, Ind.	do	Appointed Mar. 9, 1918.
L. Dupre	do	Chicago, Ill.	do	Appointed July 2, 1918.
J. K. Farrelly	do	do	do	Appointed Jan. 26, 1918.
F. A. Hassman	do	Norwood, Ohio	do	Appointed Sept. 17, 1917.
R. Flather	do	Nashua, N. H.	do	Appointed Apr. 1, 1918.
V. Hanson	do	Graniteville, Mass.	do	Appointed Jan. 21, 1918.
P. R. Houseman	do	Chicago, Ill.	do	Appointed Feb. 7, 1918.
A. D. Hollister	do	Springfield, Mass.	do	Appointed Mar. 25, 1918.
A. T. Jones	do	Youngstown, Ohio	do	Appointed Dec. 17, 1917.
Edward Kummer	do	Newark, N. J.	do	Appointed Apr. 8, 1918.
N. Lesser	do	San Francisco, Cal.	do	Appointed Oct. 1, 1917.
A. A. Lew	do	Chicago, Ill.	do	Appointed Feb. 25, 1918.
E. H. Maltby	do	Washington, D. C.	do	Appointed Oct. 26, 1917.
J. Morrow	do	(Resigned)	do	Appointed Dec. 11, 1917.
F. C. Muench	do	Riverside, N. J.	do	Appointed Mar. 5, 1918.
G. McNamara	do	Chicago, Ill.	do	Appointed Feb. 25, 1918.
D. L. Parkhurst	do	Washington, D. C.	do	Appointed Aug. 30, 1917.
Chas. R. Pitts	do	Schenectady, N. Y.	do	Appointed Feb. 12, 1918.
L. Rogahn	do	Milwaukee, Wis.	do	Appointed Apr. 24, 1918.
A. Rinkel	do	Washington, D. C.	do	Appointed June 17, 1917.
N. R. Randle	do	Baltimore, Md.	do	Appointed Dec. 4, 1917.
Geo. Rosmarin	do	Brooklyn, N. Y.	do	Appointed Apr. 9, 1918.
J. R. Randolph	do	Blackburg, Va.	do	Appointed Oct. 1, 1917.
L. E. Steere	do	Petersburg, Va.	do	Appointed Jan. 7, 1918.
Carl Sieweke	do	Harrison, Ohio	do	Appointed May 7, 1918.
Walter Strybel	do	Cincinnati, Ohio	do	Appointed May 3, 1918.
F. R. Taylor	do	Fulton, N. Y.	do	Appointed Apr. 25, 1918.
F. W. Wilder	do	Detroit, Mich.	do	Appointed Jan. 8, 1918.
Earl Walker	do	Elmsworth, Pa.	do	Appointed Mar. 20, 1918.
Joshua Wagner	do	Brooklyn, N. Y.	do	Appointed May 6, 1918.
E. A. Wiedenmann	do	Mankato, Minn.	do	Appointed May 10, 1917.
A. E. Anderson	do	Washington, D. C.	do	Appointed Oct. 26, 1917.
N. T. Anderson	do	Chicago, Ill.	do	Appointed Apr. 26, 1918.
J. K. Blakeslee	do	Washington, D. C.	do	Appointed June 18, 1917.
Walter Buchner	do	Shelton, Conn.	do	Appointed Apr. 6, 1918.
C. M. Bauer	do	Buffalo, N. Y.	do	Appointed Nov. 20, 1917.
D. G. Boozer	do	Patterson, N. J.	do	Appointed Dec. 17, 1917.
L. B. Cogswell	do	Springfield, Mass.	do	Appointed Feb. 4, 1918.
N. M. Christensen	do	Milwaukee, Wis.	do	Do.
W. E. Flaherty	do	Boston, Mass.	do	Appointed Nov. 19, 1917.
A. G. Ford	do	Washington, D. C.	do	Appointed Aug. 13, 1917.
N. Fretter	do	Cleveland, Ohio	do	Appointed Nov. 3, 1917.
H. L. Gardner	do	Jamaica Plain, Boston, Mass.	do	Appointed Dec. 15, 1917.
C. J. Highberg	do	Cromwell, Conn.	do	Appointed Dec. 3, 1917.
Walter Hammenberg	do	Chicago, Ill.	do	Appointed May 21, 1918.
O. Kupfer	do	Hoboken, N. J.	do	Appointed Sept. 13, 1917.
E. W. Krzyz	do	Cleveland, Ohio	do	Do.
Blaine Kelly	do	Syracuse, N. Y.	do	Appointed Dec. 28, 1917.
W. C. Luebbert	do	Washington, D. C.	do	Appointed Nov. 12, 1917.
W. R. Livingston	do	Marianna, Ohio	do	Appointed June 10, 1917.
H. A. Matson	do	Washington, D. C.	do	Appointed Nov. 20, 1915.
H. G. Morehouse	do	Chicago, Ill.	do	Appointed Nov. 19, 1917.
C. B. McArthur	do	Rochester, N. Y.	do	Appointed Dec. 12, 1917.
Nelson Ogden	do	New York City	do	Appointed Nov. 2, 1917.
R. C. Parmenter	do	Washington, D. C.	do	Appointed June 8, 1917.
J. J. Siekmann	do	Cincinnati, Ohio	do	Appointed Oct. 29, 1917.
H. J. Stambaugh	do	Washington, D. C.	do	Appointed Jan. 16, 1917.
E. H. Straube	do	St. Louis, Mo.	do	Appointed Jan. 2, 1918.
H. A. Sterrett	do	Washington, D. C.	do	Appointed Oct. 12, 1917.
H. Treter	do	Cleveland, Ohio	do	Appointed Nov. 17, 1917.
R. D. Truitt	do	Grafton, Pa.	do	Appointed Aug. 27, 1917.
J. W. Taylor	do	Wilmington, Del.	do	Appointed Nov. 13, 1917.
W. L. Wark	do	Washington, D. C.	do	Appointed Oct. 9, 1917.
Frank Zuch	do	do	do	Appointed Dec. 13, 1917.
W. Zilsberger	do	Buffalo, N. Y.	do	Appointed Apr. 19, 1918.
Oliver Bibler	do	R. F. D. No. 5, Pataskala, Ohio	do	Appointed Oct. 8, 1917.
Daniel D. Collins	do	621 South Avenue, Rochester, N. Y.	Charge office organization	Appointed June 21, 1917.
Frank W. Reed	do	37 Fourth Street, Haverstraw, N. Y.	Machine gun orders, small arms section	Appointed Dec. 11, 1917.
R. A. Carmichael	do	4904 Pine Street, Norwood, Ohio	Chief clerk, work order branch	Appointed Nov. 1, 1917.
J. W. Baldridge	do	145 North Keats Avenue, Louisville, Ky.	Charge unit, work order branch	Do.
Webster W. Tomb	do	1609 Brown Street, Philadelphia, Pa.	Charge of royal questions	About 1 year.
Arthur C. Israel	do	31117 Hiatt Place NW., Washington, D. C.	Charge preparation of orders	Over 1 year.
David L. Johnson	do	Valparaiso, Ind.	Charge preparation of all records	8 months.
J. C. Lettice	do	100 Summit Avenue, Macon, Ga.	Office manager and executive assistant	Appointed Oct. 24, 1917.
Harold C. Davis	do	Wyebrook, Pa.	Preparation of estimate of raw materials	Appointed Sept. 10, 1917.
Frank M. Watrous	do	50 Vanderbilt Avenue, New York City	Preparation of requisitions for contracts	Appointed November, 1917.
W. S. Hazard	do	63 Peachtree Place, Atlanta, Ga.	Negotiator and assistant in order supply branch	Appointed Oct. 1, 1917.
Wm. R. Vanderhoff	do	1350 Randolph Street NW., Washington, D. C.	Charge mailing, procurement division, orders and contracts	Appointed Dec. 31, 1917.
Francis J. O'Brien	do	949 Chalkstone Avenue, Providence, R. I.	Charge order of work unit	10 months.
Harry Sahlman	do	74 Middleton Street, Brooklyn, N. Y.	Chief clerk statistical branch	Appointed November, 1917.



List showing the number of men in the service of the War Department in the District of Columbia, etc.—Continued.

Name.	Office.	Home address.	Character of work.	Length of time in service.
Walter J. Pawlak.....	Chief of Ordnance.....	30 Swinburne Street, Buffalo, N. Y.	Receives requisitions for contracts.....	6 months.
C. B. Harris.....	do.....	Harksdale, N. Y.....	Tracing orders, work order unit, general contract section.	Do.
B. H. Thomasson.....	do.....	2816 Shawhan Avenue, Brookline, Pittsburgh, Pa.	Securing approval of War Industries Board of contract, work order unit, general contract section.	Do.
Levi Porter Denny.....	do.....	Berkeley, Cal.	Office manager trench warfare section.	Do.
Private Edward Haskell Krauss.....	do.....	190 Bedford Avenue, Brooklyn, N. Y.	Assistant to office manager.....	Appointed Oct. 1, 1917.
J. Macy Willets.....	do.....	30 West Fifty-second Street, New York City.	Head payment papers branch, credit section.....	Appointed Dec. 17, 1917.
Frank B. Cliffe.....	do.....	Ivyland, Pa.	Chief clerk statistical branch.....	Appointed Sept. 24, 1917.
Richard H. Akers.....	do.....	Garret Park, Md.	Statistician statistical branch.....	Appointed Aug. 6, 1917.
Sigmund S. Orenstein.....	do.....	Hartford, Conn.	Mail and record work advertising section.....	Appointed Oct. 1, 1917.
Alfred T. Edel.....	do.....	Baltimore, Md.	Secretarial.....	Appointed Nov. 6, 1917.
Raymond F. Crom.....	do.....	Braddock, Pa.	Mechanical draftsman.....	Appointed Oct. 20, 1917.
Carl A. Carlson.....	do.....	Cleveland Heights, Ohio.	Draftsman.....	Appointed Nov. 7, 1917.
John P. Cullen.....	do.....	Cleveland, Ohio.	do.....	Do.
H. H. Ellmacker.....	do.....	Los Angeles, Cal.	Schedule clerk statistical branch.....	Appointed Oct. 1, 1917.
L. H. Weiss.....	do.....	Newark, N. J.	do.....	Appointed Sept. 20, 1917.
Christian Van Heest.....	do.....	Passaic, N. J.	do.....	Appointed Aug. 20, 1917.
James K. Briggs.....	do.....	Adrian, Mich.	Clerical work machinery of artillery ammunition.	Appointed Nov. 21, 1917.
Donald H. Smith.....	do.....	Atlanta, Ga.	Director United States Army tanks, fuel and transportation section.	Appointed May 13, 1918.
H. A. Tebbe.....	do.....	Brooklyn, N. Y.	Chief clerk fuel and transportation section.	Appointed Jan. 8, 1918.
W. J. Conley.....	do.....	New York, N. Y.	Production and allocation of raw material, small arms section.	Appointed Nov. 1, 1917.
Francis E. Bannon.....	do.....	Baltimore, Md.	Textile chemist.....	Appointed July 23, 1917.
Paul Hayes.....	do.....	Washington, D. C.	Leather chemist.....	Appointed Nov. 15, 1917.
L. Griffin.....	do.....	New York City	Contract information and progress reports.	Appointed July 16, 1917.
W. S. Lines.....	do.....	Jefferson, N. Y.	Scheduling estimates dates of contracts.	Appointed Nov. 6, 1917.
L. K. Thorne (first lieutenant).....	do.....	New York, N. Y.	Pay roll and automatic supply officer.	Appointed Nov. 1, 1917.
Wm. A. Keating.....	do.....	Northampton, Mass.	Classifier.....	Appointed May 4, 1917.
H. A. Needham.....	do.....	Detroit, Mich.	Searching.....	Appointed June 6, 1917.
H. B. Wendell.....	do.....	Portsmouth, N. H.	Classifier.....	Appointed Aug. 23, 1917.
W. J. Barrett (second lieutenant).....	do.....	Boston, Mass.	Supervising inspector contract installations.	Appointed Dec. 15, 1917.
J. C. Hameetman.....	do.....	Hawthorne, N. J.	Supervising inspector, packing containers.	Appointed Dec. 1, 1917.
H. M. Smith.....	do.....	Richton, Miss.	Clerk, instrument, machinery, and construction section.	Appointed Dec. 20, 1917.
John Worth.....	do.....	Washington, D. C.	Supervising inspector package containers.	Appointed May 1, 1918.
B. P. Lyons.....	do.....	Brookline, Mass.	Reports and ballistic tests on trench mortar material.	Appointed Aug. 10, 1917.
R. A. Pacl.....	do.....	Cicero, Ill.	Chief clerk of group.....	Appointed Jan. 26, 1918.
L. C. Jaynes (first lieutenant).....	do.....	Portsmouth, Ohio.	Not assigned.	Appointed Sept. 18, 1917.
C. H. Luby.....	do.....	Worcester, Mass.	Chief clerk group.....	Appointed Aug. 1, 1917.
Wm. B. Eastman.....	do.....	Wilmington, Del.	Statistical and recording work, small arms.	Appointed June 5, 1917.
Samuel Elkind.....	do.....	Yonkers, N. Y.	Inspector of facilities, machine guns.	Do.
Garland W. Reese.....	do.....	New York City	Analyzing reports.	Do.
Allen C. Badger.....	do.....	Cleveland, Ohio.	Engineer of tests.	Appointed Feb. 25, 1918.
M. S. Donnelly.....	do.....	Charleston, W. Va.	Steel mill operator.	Appointed July 17, 1917.
R. F. Gifford.....	do.....	Detroit, Mich.	Office manager.	Appointed Dec. 15, 1917.
M. B. Gottlieb.....	do.....	Boston, Mass.	Assistant chief of tests.	Appointed Oct. 8, 1917.
C. E. McCoy.....	do.....	Middletown, Ohio.	Travel supervisor.	Appointed Dec. 3, 1917.
A. H. Putnam.....	do.....	Charleston, W. Va.	Assistant supervisor field chemists.	Appointed Dec. 8, 1917.
R. B. Textor.....	do.....	Cleveland Heights, Ohio.	Superintendent field chemists.	Appointed Nov. 30, 1917.
H. L. Thompson.....	do.....	New Britain, Conn.	Assistant superintendent field chemists.	Appointed Nov. 26, 1917.
J. W. Ballou.....	do.....	Concord, Mass.	Assistant inspector powder and explosives.	Appointed Oct. 3, 1917.
H. S. Norton.....	do.....	Philadelphia, Pa.	do.....	Appointed June 15, 1917.
H. V. Hoyer.....	do.....	New Haven, Conn.	do.....	Appointed Dec. 1, 1917.
J. R. Winslow.....	do.....	Carthage, Ind.	do.....	Appointed Feb. 25, 1918.
J. A. Kirkpatrick.....	do.....	Indianapolis, Ind.	Chief clerk of explosives section.	Appointed July 3, 1917.
R. M. Watrous (first lieut.).....	do.....	Montrose, Pa.	Assistant to chief shell, trench warfare.	Appointed Oct. 1, 1917.
Ritchie Lawrie, jr. (first lieut.).....	do.....	Pittsburgh, Pa.	Assistant to personnel officer.	Appointed Oct. 29, 1917.
Clarence M. Smith (first lieut.).....	do.....	Roxbury, Mass.	Not assigned.	Appointed Aug. 20, 1917.
Addison R. Hamilton.....	do.....	Three Mile Bay, N. Y.	Railroad and general drafting in construction section.	Appointed Dec. 17, 1917.
Brenton S. Kirk.....	do.....	New Philadelphia, Ohio.	Assistant director of traffic.	Appointed Jan. 17, 1918.
H. J. Aagaard.....	do.....	(Resigned).	Draftsman.	Appointed Mar. 2, 1918.
W. E. Congdon.....	do.....	do.....	do.....	Appointed Oct. 1, 1917.
N. H. Myers.....	do.....	do.....	do.....	Appointed Nov. 14, 1917.
H. H. Myer.....	do.....	do.....	do.....	Appointed Dec. 28, 1917.
R. H. Hill.....	do.....	Frankford Arsenal, Philadelphia, Pa.	do.....	Appointed June, 1917.
H. S. Kartscher.....	do.....	Philadelphia, Pa.	do.....	Do.
Arthur A. Smith.....	do.....	Sharon Springs, N. Y.	Assistant engineer of tests.	Appointed July 30, 1917.
Louis C. Baumbach.....	Director of military aeronautics.	Oil City, Pa., R. D. No. 2.	Oil chemist in chemical testing laboratory.	Appointed Feb. 27, 1918.
Claude E. Emmons.....	do.....	West Eighth Street, Bayonne, N. J.	Expert lubricating chemist in chemical testing laboratory, subbranch of engine and plane maintenance department.	Appointed Feb. 5, 1918.
Park E. Edwards.....	do.....	142 North Broad Street, Lancaster, Pa.	Draftsman, employed in making charts for lubrication records of the engine and plane maintenance department.	Appointed Feb. 25, 1918.
George W. Stimson.....	do.....	65 Hazelwood Avenue, Detroit, Mich.	Expert mechanical engineer, employed in testing force of the engine and plane maintenance.	Appointed Nov. 26, 1917.
C. E. Jarchow.....	do.....	3610 McClean Avenue, Chicago, Ill.	Chief field auditor in charge of all departments of aeronautics, operations, Signal Corps, at Dayton, Ohio.	Appointed Aug. 21, 1917.
Ernest J. Pfirman.....	do.....	154 Foxall Street, Brooklyn, N. Y.	Certified public accountant, employed in the auditing branch, supply section, as supervising auditor.	Appointed Dec. 12, 1917.
Raymond Altermatt.....	do.....	Division No. 1, Erie, Pa.	Draftsman.	Appointed Apr. 6, 1918.
Walter J. Kelly.....	do.....	Amsterdam, N. Y.	do.....	Appointed Apr. 19, 1918.

List showing the number of men in the service of the War Department in the District of Columbia who were on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked by the department and allowed and by whom commissions have been received since date of exemption, the name and home address of each such person, the character of work he is performing, and the length of time he has been in such service.

Name.	Office.	Home address.	Character of work.	Length of time in service.
M. O. Pinkham	Chief of Staff.	231 Rock Creek Church Road, Washington, D. C.	Lumber buyer	Since June 18, 1917.
C. C. Watson	do.	Royalton Apartments, Washington, D. C.	Assistant expediter	Since Oct. 15, 1917.
E. W. Case	do.	4828 Jefferson Place, Washington, D. C.	Buyer of materials	Since July 25, 1917.
Frank W. Hatten	do.	1450 N Street NW., Washington, D. C.	Chief inspector	Since June 1, 1917.
J. E. Erickson	do.	1420 Harvard Street, Washington, D. C.	Buyer of materials	Since July 10, 1917.
T. S. Rogers	do.	1310 L Street NW., Washington, D. C.	Civil engineer	Since July 23, 1917.
Edwin M. Kahn	do.	Reading Road, near Rockdale, Ayondale, Cincinnati, Ohio.	Real estate expert	Since Dec. 15, 1917.

#### AGRICULTURAL APPROPRIATION BILL.

The SPEAKER. The unfinished business is the vote upon the veto of the President of the Agricultural appropriation bill (H. R. 9054). The question is, Shall the House, upon reconsideration, pass the Agricultural appropriation bill, the objections of the President of the United States to the contrary notwithstanding.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. Could the House by unanimous consent refer this veto message to the Committee on Agriculture?

The SPEAKER. It could.

Mr. GARNER. Then I ask unanimous consent that the veto message be referred to the Committee on Agriculture.

Mr. WALSH. I object.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. If upon a vote by a call of the roll a quorum should not develop, will the point have to be made?

The SPEAKER. No; the point does not have to be made. The Speaker will make it himself. He is bound to under the Constitution. The Clerk will call the roll.

The Clerk called the roll; and there were—yeas 73, nays 173, answered "present" 6, not voting 180, as follows:

#### YEAS—73.

Anderson	Evans	La Follette	Sinnott
Ayres	Fairfield	Little	Slomp
Baer	Ferris	McArthur	Smith, Idaho
Barnhart	Fordney	McFadden	Steenerson
Browne	Frear	McKeown	Timberlake
Burroughs	French	McLaughlin, Mich.	Townner
Butler	Fuller, Ill.	Mapes	Vestal
Campbell, Kans.	Gandy	Miller, Minn.	Volstead
Cannon	Greene, Vt.	Miller, Wash.	Watson
Casson	Hadley	Mondell	Watson, Pa.
Connelly, Kans.	Hamilton, Mich.	Morgan	Welling
Cooper, Wis.	Harrison, Va.	Osborne	Wheeler
Cox	Haugen	Ramseyer	Williams
Dale, Vt.	Hawley	Robbins	Wood, Ind.
Dixon	Helvering	Rodenberg	Woods, Iowa
Doolittle	Johnson, Wash.	Rose	Zihlman
Elliott	Kinkaid	Scott, Mich.	
Ellsworth	Knutson	Shallenberger	
Esch	Kraus	Shouse	

#### NAYS—173.

Alexander	Curry, Cal.	Hamlin	Lunn
Almon	Dale, N. Y.	Harrison, Miss.	McClintie
Aswell	Dallinger	Hastings	McLemore
Bankhead	Darrow	Hayden	Magee
Barkley	Davis	Heflin	Mansfield
Beakes	Decker	Helm	Martin
Bell	Dent	Hensley	Mays
Beshlin	Dewalt	Hicks	Montague
Blackmon	Dickinson	Hilliard	Moon
Bland, Va.	Doremus	Hull, Iowa	Moore, Pa.
Blanton	Drane	Hull, Tenn.	Moore, Ind.
Booher	Dunn	Humphreys	Morin
Borland	Dupré	Igoe	Mott
Brand	Eagan	Jacoway	Neely
Browning	Eagle	Johnson, Ky.	Nicholls, S. C.
Brumbaugh	Fairchild, B. L.	Jones	Nichols, Mich.
Buchanan	Fairchild, G. W.	Keating	Nolan
Byrnes, S. C.	Fields	Kennedy, Iowa	Oldfield
Byrns, Tenn.	Fisher	Kettner	Oliver, Ala.
Campbell, Pa.	Foster	Kitchin	Olney
Candler, Miss.	Francis	Langley	Overmyer
Cantrill	Gallagher	Larsen	Overstreet
Carter, Okla.	Garland	Lazaro	Padgett
Cary	Garner	Lea, Cal.	Park
Chandler, N. Y.	Garrett, Tenn.	Lee, Ga.	Parker, N. J.
Clark, Fla.	Garrett, Tex.	Lever	Parker, N. Y.
Coady	Glynn	Linthicum	Peters
Collier	Good	Lobeck	Phelan
Connally, Tex.	Goodwin, Ark.	London	Pou
Cooper, Ohio	Green, Iowa	Longan	Pratt
Crisp		Longworth	Price

Quin  
Rainey, H. T.  
Rainey, J. W.  
Raker  
Randall  
Reed  
Riordan  
Rouse  
Rubey  
Rucker  
Sabath  
Sanders, La.

Sears  
Sherley  
Sims  
Sisson  
Small  
Snell  
Snook  
Steagall  
Steele  
Stephens, Miss.  
Sterling, Ill.  
Tague

Taylor, Ark.  
Taylor, Colo.  
Temple  
Thomas  
Thison  
Tinkham  
Venable  
Vinson  
Walker  
Walsh  
Watkins

Webb  
Welty  
Whaley  
White, Me.  
White, Ohio  
Wilson, Ill.  
Wilson, La.  
Wilson, Tex.  
Wingo  
Wise  
Woodyard  
Wright

#### ANSWERED "PRESENT"—6.

Farr  
Hardy

Huddleston  
Roberts

Schall

Summers

#### NOT VOTING—180.

Anthony  
Ashbrook  
Austin  
Bacharach  
Black  
Bland, Ind.  
Bowers  
Britten  
Brodbeck  
Burnett  
Caldwell  
Caraway  
Carew  
Carlin  
Carter, Mass.  
Chandler, Okla.  
Church  
Clark, Pa.  
Claypool  
Cleary  
Copley, W. Va.  
Coster  
Crago  
Cramton  
Cresser  
Currie, Mich.  
Davidson  
Delaney  
Dempsey  
Denison  
Denton  
Dies  
Dill  
Dillon  
Dominick  
Donovan  
Dooling  
Doughton  
Dowell  
Drukker  
Dyer  
Edmonds  
Elston  
Emerson

Estopinal  
Fess  
Flood  
Flynn  
Focht  
Foss  
Freeman  
Fuller, Mass.  
Gallivan  
Gillett  
Glass  
Godwin, N. C.  
Goodall  
Gordon  
Gould  
Graham, Ill.  
Graham, Pa.  
Gray, Ala.  
Gray, N. J.  
Greene, Mass.  
Gregg  
Griest  
Griffin  
Hamill  
Hamilton, N. Y.  
Haskell  
Hayes  
Heaton  
Heintz  
Hersey  
Holland  
Hollingsworth  
Hood  
Houston  
Howard  
Husted  
Hutchinson  
Hutchinson  
James  
Johnson, S. Dak.  
Juul  
Kahn  
Kearns  
Kehoe  
Kelley, Mich.

Kelly, Pa.  
Kennedy, R. I.  
Key, Ohio  
Kiess, Pa.  
Kincheloe  
King  
Kreider  
La Guardia  
Lehbach  
Leshner  
Littlepage  
Lufkin  
Lundeen  
McAndrews  
McCormick  
McCulloch  
McKenzie  
McKinley  
McLaughlin, Pa.  
Madden  
Maher  
Mann  
Mason  
Meeker  
Merritt  
Mudd  
Nelson  
Norton  
Oliver, N. Y.  
O'Shaunessy  
Palge  
Platt  
Polk  
Porter  
Powers  
Purnell  
Ragsdale  
Ramsey  
Rankin  
Rayburn  
Reavis  
Robinson  
Rogers  
Romjue  
Rowe

Rowland  
Russell  
Sanders, Ind.  
Sanders, N. Y.  
Sanford  
Saunders, Va.  
Scott, Iowa  
Scott, Pa.  
Scully  
Sells  
Shackelford  
Sherwood  
Siegel  
Slayden  
Sloan  
Smith, Mich.  
Smith, C. B.  
Smith, T. F.  
Snyder  
Stafford  
Stedman  
Stephens, Nebr.  
Sterling, Pa.  
Stevens  
Strong  
Sullivan  
Sweet  
Swift  
Switzer  
Talbot  
Templeton  
Thompson  
Tillman  
Treadway  
Van Dyke  
Vare  
Voigt  
Waldow  
Ward  
Watson, Va.  
Weaver  
Winslow  
Young, N. Dak.  
Young, Tex.

So (two-thirds having failed to vote in favor thereof) the House on reconsideration refused to pass the bill.

The Clerk announced the following pairs:

Until further notice:

Mr. TALBOTT with Mr. BROWNING.

Mr. HARDY with Mr. GREENE of Massachusetts.

Mr. TILLMAN with Mr. DOWELL.

Mr. SUMMERS with Mr. REAVIS.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. DOMINICK with Mr. CARTER of Massachusetts.

Mr. BRODBECK with Mr. ANTHONY.

Mr. DONOVAN with Mr. COPLEY.

Mr. ESTOPINAL with Mr. COSTELLO.

Mr. BURNETT with Mr. BRITTEN.

Mr. DOOLING with Mr. DAVIDSON.

Mr. CHURCH with Mr. CHANDLER of Oklahoma.

Mr. ASHBROOK with Mr. DYER.

Mr. DOUGHTON with Mr. DEMPSEY.



Mr. STEPHENS of Nebraska with Mr. AUSTIN.  
 Mr. DELANEY with Mr. DALLINGER.  
 Mr. CLAYPOOL with Mr. EDMONDS.  
 Mr. CALDWELL with Mr. BACHARACH.  
 Mr. CLEARY with Mr. EMERSON.  
 Mr. BLACK with Mr. COOPER of West Virginia.  
 Mr. CROSSER with Mr. FESS.  
 Mr. CARAWAY with Mr. BLAND of Indiana.  
 Mr. DIES with Mr. FOCHT.  
 Mr. CAREW with Mr. BOWERS.  
 Mr. GREGG with Mr. GOODALL.  
 Mr. DILL with Mr. McCULLOCH.  
 Mr. GRIFFIN with Mr. HAYES.  
 Mr. KEHOE with Mr. KENNEDY of Rhode Island.  
 Mr. GORDON with Mr. FOSS.  
 Mr. KEY of Ohio with Mr. KIESS of Pennsylvania.  
 Mr. MCANDREWS with Mr. HEATON.  
 Mr. KELLY of Pennsylvania with Mr. JAMES.  
 Mr. HOLLAND with Mr. KINCHELOE.  
 Mr. FLOOD with Mr. GILLET.  
 Mr. OLIVER of New York with Mr. KING.  
 Mr. POLK with Mr. HERSEY.  
 Mr. HOOD with Mr. KREIDER.  
 Mr. GRAY of Alabama with Mr. GOULD.  
 Mr. O'SHAUNESSY with Mr. JUUL.  
 Mr. FLYNN with Mr. HASKELL.  
 Mr. RAGSDALE with Mr. LEHLBACH.  
 Mr. HAMILL with Mr. GRAHAM of Pennsylvania.  
 Mr. GLASS with Mr. KAHN.  
 Mr. HOUSTON with Mr. HUSTED.  
 Mr. LESHER with Mr. KEARNS.  
 Mr. GODWIN of North Carolina with Mr. LUFKIN.  
 Mr. LITTLEPAGE with Mr. GRAY of New Jersey.  
 Mr. HOWARD with Mr. LUNDEEN.  
 Mr. MAHER with Mr. HUTCHINSON.  
 Mr. RAYBURN with Mr. SANDERS of New York.  
 Mr. SHACKLEFORD with Mr. SANFORD.  
 Mr. CHARLES B. SMITH with Mr. WALDOW.  
 Mr. VAN DYKE with Mr. SIEGEL.  
 Mr. ROBINSON with Mr. SLOAN.  
 Mr. SAUNDERS of Virginia with Mr. WARD.  
 Mr. SHERWOOD with Mr. WINSLOW.  
 Mr. SCULLY with Mr. TREADWAY.  
 Mr. THOMAS F. SMITH with Mr. MEEKER.  
 Mr. ROMJUE with Mr. MERRITT.  
 Mr. STEDMAN with Mr. MUDD.  
 Mr. STERLING of Pennsylvania with Mr. PAIGE.  
 Mr. STEVENSON with Mr. PLATT.  
 Mr. SULLIVAN with Mr. ROGERS.  
 Mr. RUSSELL with Mr. ROWE.  
 Mr. WATSON of Virginia with Mr. STINESS.  
 Mr. WEAVER with Mr. STRONG.  
 Mr. YOUNG of Texas with Mr. RAMSEY.  
 On this vote:  
 Mr. SWITZER and Mr. GRIEST (for) with Mr. CRAIG (against).  
 Mr. GRAHAM of Illinois and Mr. DILLON (for) with Mr. McKENZIE (against).  
 Mr. PURNELL and Mr. THOMPSON (for) with Mr. SNYDER (against).  
 Mr. CARLIN and Mr. YOUNG of North Dakota (for) with Mr. DENTON (against).  
 Mr. SANDERS of Indiana and Mr. ELSTON (for) with Mr. GALLIVAN (against).  
 Mr. CRAMTON and Mr. DENISON (for) with Mr. MADDEN (against).  
 Mr. FARR. Mr. Speaker, I desire to vote "no."  
 The SPEAKER. Was the gentleman in the Hall, listening?  
 Mr. FARR. I came in just a minute or so too late to answer to my name.  
 The SPEAKER. The gentleman can not vote.  
 Mr. FARR. I was unavoidably detained; if I had been here, I would have voted "no."  
 The SPEAKER. The gentleman will be marked "present."  
 Mr. BROWNING. Mr. Speaker, I voted "no." I have a general pair with the gentleman from Maryland, Mr. TALBOTT. I believe if he were present he would have voted as I have voted, and I shall therefore let my vote stand.  
 The result of the vote was announced as above recorded.  
 The SPEAKER. Does the gentleman from South Carolina desire to make a motion?  
 Mr. LEVER. Mr. Speaker, I shall make my motion later on.

LEAVE OF ABSENCE.

Mr. STERLING of Illinois. Mr. Speaker—  
 The SPEAKER. For what purpose does the gentleman rise?

Mr. STERLING of Illinois. I want to ask leave of absence for my colleague Mr. DENISON, on account of sickness, for the day, if I may. He asked me to state that if present he would have voted "aye" on the roll call just called.

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

#### STANDARDIZATION OF SCREW THREADS—CONFERENCE REPORT (NO. 738).

Mr. SEARS. Mr. Speaker, I call up the conference report on the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads.

The SPEAKER. The Clerk will read the conference report. The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, and 8, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "six months"; and the Senate agree to the same.

WILLIAM A. ASHBROOK,  
 E. E. ROBERTS,  
*Managers on the part of the House.*  
 WM. S. KENYON,  
 W. G. HARDING,  
*Managers on the part of the Senate.*

#### 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. 10852) to provide for the appointment of a commission to standardize screw threads, 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 said amendments, namely:

On Nos. 1, 2, 3, 4, 5, 6, 7, and 8: All taken together have the effect of increasing the proposed commission from five to nine members, two from the Army and Navy each instead of one, and two each from the American Society of Mechanical Engineers and the Society of Automotive Engineers, respectively, instead of one.

On No. 9: Limits the life of the commission to six months instead of one year, as proposed by the House and 60 days proposed by the Senate.

WILLIAM A. ASHBROOK,  
 E. E. ROBERTS,  
*Managers on the part of the House.*

Mr. SEARS. Mr. Speaker, I move the adoption of the conference report.

Mr. WALSH. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?  
 Mr. WALSH. I would like to ask whoever has this report in charge to yield a few moments.

The SPEAKER. The gentleman from Florida [Mr. SEARS] has the conference report in charge.

Mr. WALSH. I would like to ask the gentleman what change has been made by the conferees in respect to the length of time. Did not the original bill carry 60 or 90 days?

Mr. SEARS. The original bill, I understand, carried 12 months, and this makes it 6 months.

Mr. WALSH. Now, what is the change made in amendment No. 9?

Mr. SEARS. That is one relating to time, changing it from 12 to 6 months.

Mr. WALSH. What change was made with reference to the make-up of the personnel?

Mr. SEARS. A change from five to nine.

Mr. WALSH. How was that done?

Mr. SEARS. I was not on the conference committee—

Mr. TILSON. Will the gentleman yield to me for a moment?

Mr. SEARS. I yield to the gentleman from Connecticut.

Mr. TILSON. On account of the fact that I was the original introducer of the bill, I was called into conference by the chairman of the committee, and therefore can speak with some degree

of assurance as to the reason for the change. The reason it was done was because it was believed that it would make the commission stronger and more representative to add an additional member from the Army, so that one might cover the Ordnance and one the Quartermaster's Department, and one additional from the Navy, one coming from the Bureau of Steam Engineering and the other from the Bureau of Construction. It was also believed that the two additional engineers from civil life would likewise make the commission stronger. The entire eight amendments, numbers 1 to 8, inclusive, simply affect the provision changing the number from five to nine commissioners.

Mr. WALSH. Will the gentleman yield me three or four minutes?

Mr. SEARS. Certainly.

Mr. WALSH. Mr. Speaker, I have listened to the explanation given by the gentleman from Connecticut [Mr. TILSON] in reference to the amendments to this bill, and while it is a meritorious project I do not agree with the method of making up this commission, and I submit that we ought not to establish a precedent here of permitting any society of mechanical engineers or automotive engineers or any other private association to participate in naming members of an official commission. The members of any official board ought to be nominated by the officials of this Government, and in this instance we ought not permit private societies to say to the Secretary of Commerce, you shall name certain individuals, who will of course be members of the society upon this important commission, that you must select those two men to serve on this important commission. Now, this commission is to standardize screw threads, and it will undoubtedly make recommendations which will probably be followed by the Army and the Navy and the various other departments of the Government that have to do with its industrial activities, and if we permit these societies to select the experts to represent the various lines of industry or activity in this country we are establishing a bad precedent and a dangerous one, which we ought not to follow. These associations can furnish all the experts they desire, but they should be as witnesses and they ought not to be allowed to name the members of a commission when they will be biased and will no doubt seek only to secure the establishment of the standards adopted or fixed by their society, and they ought not to be permitted to fix a standard and then as members of a Government commission vote to have the Government ratify their action; and I trust that when similar measures come up in the future that the committees having them in charge will not follow the precedent set in this measure and say in making up an official commission to act on behalf of the Government that any private society shall have the right conferred on it to submit certain of its members to the appointing official and in effect say, as in this instance we say to the Secretary of Commerce, "You must appoint these men whom we have selected." In this respect I think this act is faulty, and I think the conferees might well have stricken out any such provision as that, and I am sorry they did not insist on its elimination. I do not, of course, expect that the conference report will be voted down, although it would not be a public calamity if it were not adopted, but I thought attention ought to be directed to this provision and to the precedent which is attempted to be established. I thank the gentleman from Florida [Mr. SEARS] for this opportunity to express my opinion.

Mr. SEARS. Mr. Chairman, in reply to the gentleman, I will say that, as a member of the committee, I took the same stand that he now takes, but the committee decided otherwise, and the Senate increased the number from five to nine. I understand the Secretary of Commerce does not have to appoint unless he wants to do so. This is simply a recommendation. And having been passed on by both Houses, it will only delay the bill now to change it. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

PRESIDENT'S VETO MESSAGE—AGRICULTURAL APPROPRIATIONS (H. DOC. NO. 1229).

Mr. LEVER. Mr. Speaker, I move to refer the President's veto message on the Agricultural appropriation bill to the Committee on Agriculture.

The SPEAKER. The gentleman from South Carolina moves to refer the President's veto message to the Committee on Agriculture.

The motion was agreed to.

CONFERENCE REPORT—CHARTER RATES, ETC.

Mr. ALEXANDER. Mr. Speaker, I desire to call up the conference report on the bill H. R. 12099 for adoption. It is a bill

to confer on the President powers to prescribe charter rates and freight rates, and to requisition vessels, and for other purposes.

#### RATIFICATION OF PROHIBITION AMENDMENT.

The SPEAKER. Before we begin on that, the Chair announces that he has a communication from the secretary of state of the State of Georgia announcing the ratification of the prohibition amendment, to be filed in the archives of the House. [Applause.]

#### CHARTER RATES, ETC.—CONFERENCE REPORT (NO. 756).

The SPEAKER. The Clerk will report the conference report on the bill H. R. 12099.

The conference report was read.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. ALEXANDER. I will.

Mr. WALSH. Will not the gentleman ask to have the statement read?

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the statement also be read.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the statement be read. Is there objection? [After a pause.] The Chair hears none.

The statement was also read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, 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 4 and 5.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 6, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Page 8, line 11, after the word "the," strike out the words "title to" and insert in lieu thereof the word "use"; and the Senate agree to the same.

J. W. ALEXANDER,  
RUFUS HARDY,  
G. W. EDMONDS,  
L. H. HADLEY,

*Managers on the part of the House.*

DUNCAN U. FLETCHER,  
JOS. E. RANSDELL,  
KNUTE NELSON,

*Managers on the part of the Senate.*

#### 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. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes, submit the following written statement explaining the effect of the action agreed on:

On No. 1: The House receded. Under section 3 of the act as it passed the House all power and authority vested in the President or by him delegated and all restrictions imposed in this act shall cease upon the proclamation of the final treaty of peace between the United States and the Imperial German Government: *Provided*, That if, in the judgment of the President, the tonnage shortage at such time is so severe that national interests of the United States are jeopardized he may, by proclamation, extend the provisions of this act for a further period of six months. The Senate amendment agreed to in conference extends the period of time to nine months instead of six months, as provided in section 3 of the bill as it passed the House.

On amendment No. 2: The House receded from its disagreement. The effect of this amendment is to require the freight rates and the terms and conditions of affreightment which shall govern the transportation of goods on vessels of the United States to be filed with the United States Shipping Board and open to public inspection.

On amendment No. 3: The House receded from its disagreement and agreed to the Senate amendment with an amendment as follows: On page 8, line 11, after the word "the," strike out the words "title to" and insert in lieu thereof the word "use." The effect of this amendment is to vest in the President the power only to lease or to requisition the use or temporary possession of, or to assume temporary control of, any dry docks, wharves, or loading or discharging terminal facilities, in any



port of the United States, etc. The power of the President to acquire by purchase for the purposes named is eliminated from section 13 of the bill.

On amendments Nos. 4 and 5: The Senate receded. The effect of which is to restore the penal provisions of section 16 as it passed the House.

On amendment No. 6: The House receded from its disagreement. This amendment adds a provision to section 16 of the bill providing that the district court of the Canal Zone shall have jurisdiction of offenses committed against the provisions of the act within the Canal Zone. The advisability of this provision is apparent.

J. W. ALEXANDER,  
RUFUS HARDY,  
G. W. EDMONDS,  
L. H. HADLEY,

*Managers on the part of the House.*

Mr. ALEXANDER. Mr. Speaker, I move the adoption of the conference report.

Mr. WALSH. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. WALSH. I would like to ask the gentleman if the effect of amendment 3, as agreed to by the conferees, is simply to limit the authority of the President to requisition the use of these facilities and not to acquire by eminent domain title to the actual physical property?

Mr. ALEXANDER. Yes. That is the purpose and the effect of the amendment agreed to. That is, we agreed to the Senate amendment with an amendment, the effect of which is to do that.

Mr. WALSH. Does the gentleman think with that power, or the authority through which he will exercise this jurisdiction, the President will have sufficient authority to utilize these facilities to the best advantage?

Mr. ALEXANDER. The counsel for the Shipping Board were of the opinion that the provision as framed in the conference report would be sufficient. And it is not the purpose of the Shipping Board in any event to purchase these facilities. The only purpose is to utilize them during the time this act may be in effect and not acquire any of them by purchase.

Mr. WALSH. Will the gentleman yield for one further question?

Mr. ALEXANDER. Yes.

Mr. WALSH. With amendment No. 1 you have limited the time after the proclamation of peace to nine months instead of six months, as proposed by the House. But the statement does not set forth what the Senate provision was. Was not the Senate provision for a considerably longer time?

Mr. ALEXANDER. When the bill was reported to the Senate by the Senate Committee on Commerce it was 18 months, but on the floor of the Senate it was amended and limited to 9 months.

Mr. WALSH. And the conferees adopted the Senate provision?

Mr. ALEXANDER. The conferees agreed to the nine months' provision. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

#### WATER-POWER LEGISLATION.

Mr. SIMS. 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 water-power bill.

Mr. SHERLEY. Mr. Speaker, before the gentleman presses that, may I inquire of him whether there is any agreement reached as to limitation of debate?

Mr. SIMS. There is not.

Mr. SHERLEY. Does not the gentleman feel that at this time it would be in order for him to make some motion to the House looking to the limitation of general debate?

Mr. SIMS. Mr. Speaker, while the water-power bill has been considered during a portion of two days, there was only 1 hour and 15 minutes used the first day and only 1 hour and 22 minutes the second day, all used by myself, and so far as I am concerned, I would not want to have to limit the debate.

Mr. SHERLEY. I do not want to limit debate in the sense of cutting off all debate. I think the House is entitled to know something about what we are going to do, whether we are going to drive on indefinitely with general debate or whether we are going to have consideration of the bill and action by the House on it.

Mr. SIMS. The gentleman from Wisconsin [Mr. Esch] is entitled to 3 hours and 38 minutes before we are entitled to any further time. I will be glad to confer with him as soon as he has used his time, and see the number of inquiries that he has got and what I have and try to agree to a limitation on general debate at that time.

Mr. SHERLEY. May we have the assurance that the gentleman will, when he next moves to go into committee, make a request touching the limitation of debate?

Mr. SIMS. I will confer with the members of the special Water Power Committee and determine what I shall do after conferring with them.

Mr. SHERLEY. But some of us might want to make a motion now.

Mr. SIMS. I have no power to make a motion now.

The SPEAKER. Has the gentleman from Tennessee any request to make?

Mr. SIMS. Not at this time.

Mr. ESCH. I suggest, Mr. Speaker, that later this afternoon we will probably come to some limitation of time, but it would not be proper to do it now, as this side has not had any time.

Mr. SHERLEY. I do not want to deny reasonable debate.

Mr. ESCH. I think we can come to some arrangement later on.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Tennessee.

The motion was agreed to.

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419, with Mr. WEBB in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (S. 1419) 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. SIMS. Mr. Chairman, the gentleman from Wisconsin [Mr. Esch] is entitled to use 3 hours and 38 minutes before any further time is yielded on this side.

Mr. SHERLEY. Oh, no; the gentleman is mistaken about that. I want him to have that time, but under the rules he is entitled to recognition for an hour.

Mr. SIMS. Under the agreement between the gentleman from Wisconsin and myself we control the time half and half.

Mr. SHERLEY. In the House?

Mr. SIMS. Yes; and I have used 3 hours and 38 minutes on this side, and the gentleman from Wisconsin is entitled to the same amount of time.

Mr. ESCH. Mr. Chairman, I yield 40 minutes to the gentleman from Washington [Mr. LA FOLLETTE].

The CHAIRMAN. The gentleman from Washington is recognized for 40 minutes.

Mr. LA FOLLETTE. Mr. Chairman, when I yielded the floor yesterday for the consideration of the President's veto of the wheat price-fixing provision, and with it the Agricultural appropriation bill, I was about to remark that this bill is, in my judgment, one of the most important pieces of legislation that has been before the House for many years, and that if we could work out a comprehensive plan under which the millions of potential horsepower energy now running to waste in the rivers and streams throughout the various States of the Union could be developed and utilized for the benefit and comfort of mankind we would have performed a service second to none, and worthy to rank with the highest, rendered by any previous Congress in our history.

Mr. Chairman, as important a matter of legislation as is this should not be entered on with any misleading or erroneous assumption of facts. We should each and every one charge ourselves with the duty of giving it most careful and comprehensive consideration, and this for several good and sufficient reasons. First, we should fully understand the genesis of the legislation, the reason for its coming into being, the need for its enactment, and why this or some similar mode of procedure is necessary of adoption if we ever hope for water-power development in the United States. Secondly, is this character of legislation wise? Is it sound in principle, sane in its premises; and what is most important of all if we would not have our labors for naught and bring ourselves under criticism and derision, will it stand the test of constitutionality in the highest courts of the land? Third, is its enactment good public

policy and a justifiable expedient for the procuring of development?

Mr. Chairman, before touching on these essential propositions I have mentioned, I desire to say that the gentleman from Oklahoma [Mr. FERRIS], who filed the minority report, and the chairman of the committee [Mr. SIMS] are evidently proceeding under an entirely different assumption of fact and theory for the creation of this bill and the Government's relationship to it, than does the Member who is now addressing you. They seem to approach it from the viewpoint of the Government being a supreme proprietor and we, as legislators, working out a plan whereby she can provide for development, through private individuals, of her properties. The gentleman from Oklahoma, on the last page of the reports from committee on this bill, among other things, says:

I deny that it is the correct principle for the Federal Government to first grant away the most valuable of all its resources, and then by ponderous, cumbersome, provisions make its recapture and retaking nonfeasible if not impossible.

Mr. Chairman and gentlemen, I would be the last man in this House to raise a question as to the soundness of that enunciation if I thought the gentleman had even a questionable legal right for his assumption. I know these gentlemen to be honest and earnest in their desire to safeguard from their viewpoint the people as a Federalized Government. But, Mr. Chairman, after a careful and painstaking study of the Constitution of the United States, and after reading most carefully many United States Supreme Court findings and decisions, as well as many State court decisions, I have been compelled to conclude that the Federal Government's having any proprietary rights superior to any other riparian owner, with the exception of freedom from taxation, in what the gentleman designates as "the most valuable of all its resources," is romance, pure and simple.

Mr. Chairman, we have here the Constitution of the United States. I am very desirous of instruction and information. I will be pleased for the gentleman from Oklahoma, or any other gentleman who shares his ideas as to the Federal Government's proprietary rights, to kindly call to my attention the particular article and section of the Constitution that confers on the Federal Government any proprietary rights in the streams, lakes, or harbors of the United States, or any amendment to the Constitution that does so. It is true that under Article IV, section 3, paragraph 2, we find the following language:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, or of any particular State.

But, Mr. Chairman, the Supreme Court, in decision after decision, has enunciated the opinion that this provision of the Constitution does not imply nor show that the Federal Government has any proprietary rights as to water, or to bed or bank, of any stream in these United States, either in navigable or nonnavigable streams. In the House Manual and Digest, under the paragraph of the Constitution which I have just read, there are some 38 United States Supreme Court citations, many of them touching on this very question of proprietary rights. In *Martin v. Waddell* (16 Pet., 410), Chief Justice Taney said in part:

When the Revolution took place the people of each State became themselves sovereign, and in that character hold absolute right to all their navigable waters and the soils under them for their common use, subject only to the right since surrendered by the Constitution to the General Government.

In the case of *Pollard, lessee, v. Hagan* (3 How., 229), the court, after quoting the above statement, said:

Then, to Alabama belong the navigable waters and soils under them in controversy in this case, subject to the rights surrendered by the Constitution to the United States, and no compact that might be made could diminish or enlarge these rights.

The court concludes the opinion in that case in these words:

By the preceding course of reasoning we have arrived at these general conclusions: First, the shores of navigable waters and the soils under them were not granted by the Constitution to the United States, but were reserved to the States, respectively. Secondly, the new States have the same rights, sovereignty, and jurisdiction over this subject as the original States. Thirdly, the right of the United States to the public lands and the power of Congress to make all needful rules and regulations for the sale and disposition thereof conferred no power to grant to the plaintiffs the land in controversy in this case.

Mr. Chairman, there are dozens of Supreme Court decisions upholding the States' sovereignty and right of control of the water, beds, and banks of navigable and nonnavigable streams, lakes, and tidal bays. The very latest Supreme Court decision on this question contains in part this language: (October term, 1916, 243 U. S., 316. Syllabus. *United States v. Cross*. *United States v. Kelly et al.* Error to the District Court of the United States for the Eastern District of Kentucky. Nos. 84, 718. Argued Dec. 13, 1916. Decided Mar. 12, 1917.)

The States have authority to establish for themselves such rules of property as they may deem expedient with respect to the streams of water within their borders, both navigable and nonnavigable, and the ownership of the lands forming their beds and banks (*Barney v. Keokuk*, 94 U. S. 324, 338; *Packer v. Bird*, 137 U. S. 681, 671; *Hardin v. Jordan*, 140 U. S. 371, 382; *Shively v. Bowlby*, 152 U. S. 1, 40, 58; *St. Anthony Falls Water Power Co. v. St. Paul Water Commissioners*, 168 U. S. 349, 358), subject, however, in the case of navigable streams, to the paramount authority of Congress to control the navigation so far as may be necessary for the regulation of commerce among the States and with foreign nations (*Shively v. Bowlby*, 152 U. S. 1, 40; *Gibson v. United States*, 166 U. S. 269, 272; *Scott v. Lattig*, 227 U. S. 229, 243); the exercise of this authority being subject, in its turn, to the inhibition of the fifth amendment against the taking of private property for public use without just compensation (*Monongahela Navigation Co. v. United States*, 148 U. S. 312, 336; *United States v. Lynah*, 188 U. S. 445, 471).

This decision was rendered March 12, 1917, and fully sustains the States' power and sovereignty over water, bed, and banks of all character of streams.

Decisions by the hundred can be produced to sustain the contention that section 3, paragraph 2, of Article IV, of the Constitution, infers no such proprietary rights in the Federal Government. The syllabus of the case known as *Kansas v. Colorado* (206 U. S., 46-92), expresses the situation and status of the United States clearly and succinctly. It reads in part:

The Government of the United States is one of enumerated powers; that it has no inherent powers of sovereignty; that the enumeration of the powers granted is to be found in that alone; that the manifest purpose of the tenth amendment to the Constitution is to put beyond dispute the proposition that all the powers not granted are reserved to the people, and that if in the changes of the years further powers ought to be possessed by Congress they must be obtained by a new grant from the people. While Congress has general legislative jurisdiction over the Territories and may control the flow of waters in their streams, it has no power to control a like flow within the limits of a State, except to preserve or improve the navigability of the stream; that the full control over these waters is, subject to the exception named, vested in the State.

And later on it says:

It is useless to pursue the inquiry further in this direction. It is enough for the purposes of this case that each State has full jurisdiction over the lands within its borders, including the beds of streams and other waters.

Mr. Chairman, Article I, section 8, paragraph 3, contains what is known as the commerce clause of the Federal Constitution, which reads:

[Congress shall have power] to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

It is under that provision that we concede the Government's power and right to maintain jurisdiction over navigable waters of the United States for the purposes of navigation and the improvement thereof; and that clause confers no property rights whatever upon the United States, nor does it confer any supervisory right upon the United States for any other purpose than that of navigation, a contention, Mr. Chairman, that has been decided affirmatively for so long a period that it is needless to enlarge on it. The United States is simply the trustee of the States, to preserve and see that the general navigation rights of all are equally protected, and, when necessary, improved to insure the usability of those avenues of commerce and trade "with foreign nations, between the States, and with the Indian tribes." This and nothing more.

This, Mr. Chairman, brings me back to my first premise: That we should understand the genesis of this legislation; the reason for its coming into being and need for its enactment.

We have for many years been trying to develop more or less power from rushing or falling water in many States of the Union, and many power possibilities would have long ago been developed and be giving service to man if it were not for a divided authority. While the right of water control and the ownership and jurisdiction of bed and banks of our water-courses are admitted in the States, the jurisdiction over the navigation of all streams being in the Government the States could not well pass laws conferring upon private individuals rights to build dams across the streams, because the Government could intervene and stop proceedings under the plea of control of navigation.

It is true that some of the States have granted such rights, and dams have been built, and their legality upheld by the courts, and there have been many interesting questions raised and decisions rendered; but time forbids my going into that phase of this question.

Building dams and developing water powers is usually a hazardous and costly undertaking. Men will not engage in it on uncertainties. Consequently with indefiniteness of tenure and occupation created by dual or divided authority but little development has been made. Under pressure for something to be done to make development possible the Interior Department, without any legal status other than the act of February 15, 1901, United States Statutes, chapter 372, "relating to rights



of way through certain parks, reservations, and other public lands," put into effect a system of revocable permits where such lands were involved. The gentleman from Oklahoma, in his minority report, refers to our operating under that system. It would have been interesting had he seen fit to put in a table showing how many such permits have been granted, how many so-called horsepower have been developed under that system, and how many millions of dollars have been invested subject to the revocation at will by some political appointee. He did not do so, and I think he himself would have been surprised had he made an investigation. For all practical purposes there has been no development whatever under that system; any plants built under such a system necessarily being restricted to those whose projectors had their own capital or could give other security than the plant if they borrowed money for the enterprise. The law referred to as appertaining to navigable streams also hampers, but would not deter capital as does the one where the lands above the bank are public domain. Court decisions can be found justifying the belief that the Government would not be allowed to revoke licenses at will, but only where navigation needs were imperative, making the destruction of the plant a necessity—a remote possibility. The builders would naturally build in such a way as to make that risk a negligible quantity. However, there has been but little development under that provision of law. Capital demands and will have certainty of tenure and definite assurances as to its human liabilities. To expect anything else is unwarranted and not justified by commercial principles and practices of the decades and centuries gone by.

This bill is brought here because it is apparent that we can get no development under a divided authority, and development is needed. Our not having greater development is inexcusable on any other ground than lack of grasp of the situation and inability to cope with it. This bill is not based on either the Government's ownership or its sovereign authority, but on the hypothesis that we as representatives of the States have authority to act for the States in matters of this character and pass laws for the general good, by the establishment of a limited trusteeship or commission composed of officials of the Government, to carry out and administer this law in such a way as not to infringe any of the rights of the States nor to impede or restrict navigation, but rather to benefit it. The commission is composed of the Secretary of War, who has supervisory control over all navigable streams for the purposes of navigation alone; the Secretary of the Interior, who has control of the public domain and of the power sites on such domain; and the Secretary of Agriculture, who has administrative control of all power sites in forest reserves. The three working together can harmonize all questions involving Federal interests, and under the proposed law the would-be licensee is supposed to have procured all concessions and necessary powers of the State or States in which the proposed project is situated before a license can be issued, thus harmonizing State and Federal interests, making development possible without either transgressing the sovereign powers of the States or conferring on the Federal Government any plenary power not contemplated by the Constitution. Under this bill we only allow the commission a supervisory power over those functions entirely within the State's jurisdiction for the period covered by any license, the State having exercised its rights in advance of issue.

I think legislation of this character is wise and worthy of fair trial in view of the fact that under present conditions no development is possible. I think the legislation will prove to be sound in principle and sane in provisions as it comes from the committee, and, what is of transcendent importance, it will, with possibly one or two changes, stand the test as to constitutionality. Unless it will pass that test, to pass it would be futile.

Is the passing of this kind of legislation good public policy? I think it is. There has been a widespread demand for State and National supervision over all natural and national resources. The Government is attempting to apply that principle to the resources of various kinds on and in the public domain. Various bills have been introduced, some of which have passed either the House or the Senate, and in one case—Alaska coal lands—both, for the leasing of oil deposits, coal deposits, phosphates, and sodium, and so forth. By the enactment of this bill we shall be able to develop our water powers, recognizing the States' rights as to water, bed, and bank control. Their public-utilities commissions will control the matter of rates charged for service, and the plants will be entirely subject to State laws as to taxation, and so forth.

Under this bill the State abrogates none of its powers or rights. Section 9 distinctly provides that satisfactory evidence must be given that the applicant has complied with the requirements of the laws of the State or States within which the pro-

posed project is to be located with respect to the appropriation, diversion, and use of water for power purposes, and with respect to the right to engage in the business of developing, transmitting, and distributing power, and in any other business necessary to effect the purposes of a license under this act.

Mr. Chairman, I propose at the proper time to offer to amend this paragraph, page 35, in line 4, after the word "to," by adding the words "bed and banks and," so it will read:

Satisfactory evidence that the applicant has complied with the law of the State or States within which the proposed project is to be located with respect to bed and banks and the appropriation, diversion, and use of water for power purposes—

And so forth.

If we make it one of the conditions precedent to the procuring of a license that the applicant has complied with the requirements of State law as to bed, banks, diversion, and use of water, we are most assuredly not infringing any State's right in that respect, but are definitely insisting that the State's rules of property as to water, bed, and banks must have been fully complied with or license can not issue.

Under the bill the Government does not pay a dollar for the recapture at the end of any license period of any Government land it has licensed in connection with any water-power development, nor does the value of such land, rights of way over Government land, good will, or going value figure in the net investment settlement. We do, however, make as one of the conditions precedent to the acceptance of a license the relinquishment and sale of any vested or riparian rights the licensee may have at the end of his license period to the United States if it elects to buy the plant; and said riparian right, land, and so forth, must be sold to the Government at its actual reasonable cost to the licensee at the time of its acquisition. This is quite a drastic provision. In the 50 years his investment in land might increase a hundredfold. The licensee, in order to get a license and permission to carry out some idea for his present betterment, must contract that his heirs and assigns will accept the original cost of any land he uses in connection with the plant, the accrued value, if any, going to the Government. In addition to this concession made by the applicant desiring to engage in the development of water power, there are gentlemen here, like the distinguished chairman of the Public Lands Committee, who think that, in addition to the conditions precedent to securing a license already mentioned, we should have added yet another condition, making it possible for some agency not provided for in the original draft to place on the property of every description owned by the licensee needed and used in connection with the project apart from the land such value as in the province of that agency is considered fair, not to exceed actual cost of the property taken.

The Government can, if it so elects, take over the property. If it is a good thing, the Government takes it; otherwise it does not have to. It likewise takes such part of the licensee's private lands used in connection with the plant as it elects, at the reasonable cost of the land to the original licensee. Not satisfied with this great advantage conferred on the Government by the elective feature of this bill, it is proposed to take his plant over, regardless of its earning capacity, at such a proportion of its physical value as some agency may pronounce fair. Mr. Chairman, there are some men in this country, no doubt, who would erect power plants under that provision, knowing they would be dead when the time for a possible partial confiscation of their property rolled round; but such men would, I judge, be few and far between. Any man who had any respect for his own ideas of business and a square deal to his successors and assigns would rebel at such an uncertain provision and refuse to put his money at hazard.

That is not all. Most of the large projects in the United States are beyond the financial ability of most corporations and individuals; they have got to interest houses that make a business of bonding commercial enterprises and selling the bonds to investors. Such houses do not do business on sentiment or theory, and under the uncertain term of "fair value," with all chance for accretions in value of lands, franchises, and so forth, eliminated by the terms of the license itself, no bond house in the United States that thinks anything of its reputation would loan a dollar for the construction of any plant. If we place that provision in the bill, in my judgment the fifty-five estimated millions of horsepower in the United States yet undeveloped will run unmolested to the sea, wasting energy enough each year to conserve 50 per cent of the coal burned in the United States for all purposes if we could utilize that waste. I have heard men say they would rather it would so waste than to fall into the hands of monopolists. I do not think that there are any chances to take on monopoly under this bill. If any monopoly or extortion is practiced under it

anywhere in the United States, it will be the fault of the States and not the commission. We can not guarantee either the efficiency or sufficiency of State utilities commissions and their powers under their laws to control monopolies. The entire matter is in their hands, and should be. Mr. Chairman, the term "net investment" is not justly subject to the criticism made on it in the minority report here. In section 9, paragraph C, of the bill, is a provision that makes it incumbent on the licensee, in the case of a navigable stream, to keep the project works in repair adequate for the purposes of navigation and for the efficient operation of the works for the purposes created, to make all necessary renewals and replacements, and the licensee is compelled to keep an adequate depreciation reserve for that purpose. Subsection F, of section 4, on page 30, provides similar safeguards for other projects.

Mr. Chairman, I again desire to call attention to the minority report and some of the unwarranted contentions contained therein. The gentleman from Oklahoma [Mr. FERRIS] clearly intimates that the committee was alone responsible for changing from fair value to net investment in what is known as the recapture provision of the bill. The facts are that both terms came from the Secretaries, and no member of this committee was responsible for the change. A large majority of the committee agreed with the Secretaries that the first term was too uncertain and that under such a term there was little probability of development. I hope no Member of the House will allow himself to be prejudiced by a misunderstanding in regard to this change of phraseology and as to who was primarily responsible for the change. The minority report, under the sub-heading, "Comments on the net-investment amendment," the very first premise set forth by the gentleman is simply a word painting without one scintilla of evidence to warrant the assertion. The gentleman characterizes the recapture provision wherein we provide for the Government's taking over the private property of the licensee by paying the net investment as "prescribing in advance the measurement of damages the Government should pay in the event of retaking." Retaking what?

Neither the Government nor the State ever had any part of the physical property to be taken under this provision of net investment. It is the property of the licensee, and we, instead of taking it by paying him a measure of damages for the retaking of something we had licensed or transferred, are arbitrarily, if we so elect, taking it over at cost, and we are not allowing the licensee one "sou markee" as a measure of damages for severing him from his property. He has to submit to it without damages, regardless of its earning value or enhanced market value, because he agreed to as a condition precedent when he accepted the license.

Gentlemen, let us keep these matters straight in our minds. If we do, we will be better able to do justice to the people who through this commission will grant permission for the development of water-power projects and to those citizens who put their money at hazard when they undertake the enterprise. Surely one is as much entitled to the square deal as the other.

The gentleman, Mr. FERRIS, says again under the same heading that the Government becomes an absolute insurer of all the money invested in the water-power plant. This is simply a mistake. The Government insures nothing. The Government has given nothing. The Government had actually nothing to give, unless it would be land, the title of which is in the Government, and she pays not one cent for its return at the end of the license period. Neither does she need to take over any plant unless it is valuable and a good thing. Then she arbitrarily takes it under the law by the paying of net investment, and the finding as to net investment and the keeping the property up to the value of the net investment is under the supervision of our own commission. They do not share the gentleman's fears and forebodings in regard to this provision. They each and every one indorse it as more practical and just than the other, and they also realize that under the uncertain provision, championed by the gentleman but discarded by the Secretaries, there would probably be no development whatever. And they and the President of the United States, under whose direction they originally drafted the outline for this legislation, are really desirous of water-power development.

The gentleman, Mr. FERRIS, further states in his report under the same heading:

It requires as a condition precedent to any retaking of the property that the full net investment shall be returned to the water-power developer, and this is true even though the water-power developer has used the property and received profits and dividends from it for the full life of the lease, covering a period of 50 years.

Are you gentlemen willing to subscribe to the proposition that in case you have developed and made valuable a piece of property, worthless until developed, and have made a profit out of it

for a term of years, you should agree in advance to take such part of the principal you invested, in making this former thing of waste a thing of value, as is adjudged fair by some undefined method of appraisal? How many gentlemen here would invest money under a proposition of that kind? Not one of you, in my judgment, would do so. We should not expect others to do what we would not do ourselves. We will not ask it if we expect and desire development.

The further remark under the same comment on net investment goes on to say:

This is also true even though the property has become dilapidated, obsolete, and worthless. It is also true even though the property has never been a going concern and would not have any value whatever to the city, county, State, or Government that sought to bring about its retaking that as a condition precedent to any retaking of the property the full net investment must be paid therefor.

Mr. Chairman, if it were possible under this bill for the property to get into the condition described without the people's own commission being responsible for it, the lugubrious condition described by the gentleman might be a scarehead, but it would be a sad commentary on both the State in which the project was located and on the Nation whose secretaries as a commission would permit the property to get into such a condition. I do not think the gentleman read and digested this bill very carefully before he filed his minority report or he would not have made it. If he had read subsection F of section 4, and subsection C of section 9 in connection with sections 25 and 26 of the bill, he would see that the commission would have to be very derelict in its duties for any property they license to get in the condition described. The bill provides a method for getting rid of such licensees, and the criticism of the net investment feature by the method pursued in the minority report is camouflage, pure and simple.

This is a bill which needs careful study and digestion before too hasty an opinion is passed on it. I have great hopes of some real development being accomplished under it if we can once get it in operation. Remember that under the recapture clause we only recapture the franchise and site, if the title to the site is in the Government. If the Government desires to become the operator of the plant, we capture by paying actual reasonable original cost any land and riparian rights the licensee owns, and the net investment he has made in the plant. The licensee as a condition precedent has developed a useless unused possibility and made it something of value. This he has got to give up at the end of his license period if the commission so elects. I do not see how under those conditions we can object to his getting back the original capital he put at hazard, which has been subject to the supervision of the commission all the time.

Mr. Chairman, it might be better, as some men seem to think, if all jurisdiction as to water, bed, and banks of streams was in the Federal Government instead of in the States. If it were so there would be no complication caused by a conflicting authority. We, however, have to legislate under conditions as we find them.

Mr. Chairman, I have had the honor of being a Member of the House of Representatives for almost eight years. During the time I have been here there have been many water-power bills introduced, most of them general in character but some few individual in scope.

To the best of my recollection now, but one of those bills ever crystallized into law. That was a bill for an extension of time for the commencing of a water-power project on the Pend Oreille River in what was then Stevens, now Pend Oreille County, Wash. The bill for said extension was introduced by myself.

The site for the dam was unfortunately in a forest reserve. The gentlemen comprising the company put in much time here in Washington City in conference with the Secretary of Agriculture, who has charge of the administrative features of forest reserves, and with the Secretary of the Interior, who has the disposal, contractual or otherwise, of all public lands whether in or out of forest reserves; and after many conferences a water-power development permit was executed by the Secretary of the Interior, and under that permit the grantees tried to finance their project, but to no purpose. They could not find a financier in the United States who would loan them a dollar for the building of a foundation and dam or works under their grant.

Handicapped with a revocable permit for the use of the site above the banks they had to tie their dam to, the financiers of the country were quite sure the Secretary's permit was not worth the dam. [Laughter.]

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. LA FOLLETTE. Yes; I will.



Mr. JOHNSON of Washington. Does the gentleman know what amount of capital would have been necessary for that project?

Mr. LA FOLLETTE. I do not, but it was to be a very costly project and a very valuable one.

The gentlemen who received the only water-power grant made by Congress since I have been a Member had to see their franchise lapse and suffer great financial loss because the Congress of the United States had failed to pass a law that would allow the erection of water-power projects and make it possible for grantees to procure capital for development and construction purposes thereunder.

Mr. SMALL. Would the gentleman state the conditions that were imposed in that permit?

Mr. LA FOLLETTE. I could not offhand. It contained extensive rules and regulations, including a recapture clause; and the Secretary had supervision over all their activities, and could call them to book at any time. But the main thing was the revocable clause, revocable at will.

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

Mr. LA FOLLETTE. I will.

Mr. SINNOTT. I think that permit was inserted in the water-power hearings of the last Congress.

Mr. LA FOLLETTE. It was published at the end of a report on some bill considered by the House.

Mr. SMALL. Which bill was that? Was it the bill known as the Ferris bill—the hearings on that bill?

Mr. SINNOTT. Yes.

Mr. LA FOLLETTE. Mr. Chairman, for many years the United States, through its Congress, passed most liberal land laws and was equally liberal with possessions of every character on and in the Public Domain. And the administrative officers construed the laws passed by Congress in a spirit of liberality, with the result that barren wastes were made habitable, States were hewn from wildernesses and an empire such as the world had never witnessed was founded in an incredibly short time, and this Nation expanded more than thirtyfold in but little over a century. States, counties, and municipalities vied with each other in soliciting capital, both domestic and foreign, to enter their respective domains and assist in the development of field, of mine, of forest, of water power, and every line of development known to man. Most liberal inducements were made by municipalities, by counties, by States, and by the United States. Under this great stimulus development was enormous, and abuses naturally followed, and as corporate wealth increased and grew fat from, in many cases mistaken, liberality, it began to dawn on the public that it was time to call a halt; that it was not good public policy to allow certain natural resources that should be enjoyed and controlled in perpetuity for the benefit of all our people to go untrammelled into the hands of a few who could abuse their control of them by extorting from the public unholy profits to which they were not morally or ethically entitled.

The cry of "Stop thief" was raised, and raged with great violence for a decade, with the result that our Government, through timberland withdrawals, power-site withdrawals, coal-land withdrawals, and other withdrawals of various kinds, backed up by Congress, always alert to what it thinks the people want, swung to the other extreme, and for a decade or more now there has been practically no development of water power, of coal lands, and other Government-controlled possibilities throughout the great West and in the Territory of Alaska, with the natural result following, that within a short time our expanding commerce and trade, our manufactories and internal development had drawn so heavily on coal and oil properties already developed as to cause a rapid increase in price of those commodities, and in many localities an even worse hardship—that of not receiving an adequate supply or none at all.

I have watched for years the pendulum swing from excess of liberality to a worse extreme of niggardliness, and, like the dog in the manger, we could or would not eat the hay ourselves, neither would we allow the horse to eat it. We would not, and no doubt wisely not, develop our water powers ourselves, neither would we pass laws under which private capital properly regulated could safely be invested in water-power development.

I have watched the pendulum swing from one extreme to the other, and I have been hopefully waiting for it to swing back to the happy medium, with the hope that the people of the present day might derive some of the great blessings stored up for the use of mankind in our streams and rivers running from the watersheds and mountain fastnesses of our broad land, in most cases as yet unharnessed, to the sea.

We are burning up millions of tons of coal and other millions of gallons of oil for fuel and power purposes that could have in a large part been conserved had we only made use of the millions

of horsepower energy that could have been developed from our waterfalls and rapids, which once developed are there practically in perpetuity, and thus made our coal and oil supply last many decades longer for purposes not suitable for handling by hydroelectric energy.

I sincerely hope we are seeing the dawn of a happy-medium day, and that this bill will become a law, and under it many, many million kilowatts of power will be developed and put to beneficial use, and I am confident that those uses will be expanded to an extent hardly realized by any of us. I prognosticate that hydroelectric energy, properly applied, will in the days to come prove to be the greatest blessing of all those applied by man from nature's storehouse to human use.

Mr. Chairman, competent authorities have estimated that within the United States there are some sixty-one millions of potential horsepower energy in our waterfalls and rapids. The State of Washington, which I have the honor to represent in part, is credited with some ten million seven hundred thousand of said horsepower, or between one-fifth and one-sixth of the total, and, Mr. Chairman, I am satisfied that to that 10,000,000 of horsepower could be added half as much again and then not exaggerate the potential horsepower possibilities of the State of Washington. And of all that enormous energy stored there by Omnipotence, but 291,000 horsepower have ever been utilized.

Mr. Chairman, the Government of the United States has built some wonderful reservoirs for the impounding of water for irrigation purposes, which are going to be of immense value to man. There will be many great reservoirs built in connection with hydroelectric-energy development, but, gentlemen, none of them will ever compare with the great natural reservoirs that have been erected by the Almighty himself in the great States of Oregon and Washington. [Applause.] We have within the confines of those two States more mammoth mountain peaks covered with millions upon millions of tons of perpetual snow and ice than are within the confines of the same amount of territory probably on the face of the globe.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. LA FOLLETTE. Not now. The gentleman will excuse me.

Mr. Chairman, I was about to say that down from those great reservoirs pour hundreds of small streams, and in those streams are many millions of potential horsepower energy that have never yet been figured on at all as water-power factors. They, of course, are figured on when they are merged into a few great streams with falls and rapids, but they are capable of many more horsepower before reaching those points because of their faster fall and immense precipitation.

Mr. Chairman, there is energy enough running to waste in my State of Washington to pump water onto every acre of our arid lands not capable of irrigation by natural flow, and in addition turn all the wheels of commerce that will ever be erected in that State, and light and heat every home and building in city, country, and town within its confines, electrify all its railroads, street cars, and riding vehicles, do all the work in forest, field, and home that can be done by mechanical power, and then have electric energy galore to transmit by long-distance wire to States not so happily situated. Of all the States in the Union, Washington is, I think, the most vitally interested in the passage of safe and sane water-power legislation.

The CHAIRMAN (Mr. WHALEY). The time of the gentleman has expired.

Mr. ESCH. I yield five minutes more to the gentleman.

The CHAIRMAN. The gentleman is recognized for five minutes more.

Mr. LA FOLLETTE. Mr. Chairman, I am anxious to safeguard the public, both present and future, but I do not want to see us attempt to safeguard the future to such an extent as to continually prevent development within the present, thus denying to present generations blessings and comforts they are entitled to on the theory that our posterity are not going to be as smart or wise as we are, consequently not as able to look out for their own interests. I am willing to grant that they will be at least as wise as we, and I sincerely hope much wiser. Let us have some development within the decades yet to be enjoyed by those now born and not leave it all for development by the unborn millions to follow. They will probably be able to improve on our methods and add largely to the blessings we bequeath to them.

Now I yield to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. I thank the gentleman, but I was not aware of the fact that he was pressed for time.

Mr. MILLER of Washington. Mr. Chairman, will the gentleman yield for a question?

Mr. LA FOLLETTE. I will.

Mr. MILLER of Washington. The gentleman is acquainted with the fact that there is a rapidly growing sentiment in the West for municipally owned hydroelectric plants. Does the gentleman think the provisions in the bill—the provisions that the bill carries—will stimulate the growth of municipally owned plants of that character?

Mr. LA FOLLETTE. I will say yes. It gives them, providing they exercise the right to take out a permit, a preference right over any private individual or corporation.

Mr. MILLER of Washington. The gentleman looks with favor upon that class of operated hydroelectric plants?

Mr. LA FOLLETTE. I do. Wherever the interests of the public are best served by it, I think it is just as well and better to give it to the municipality than it would be to give it to private individuals to do the same thing.

Mr. MILLER of Washington. And it is the opinion of the gentleman further, if I may ask the question, that the provisions now relating to municipally owned plants are as favorable as the committee could report, having the facts in view?

Mr. LA FOLLETTE. Yes. There were several on the committee who were particularly interested in that phase, and they tried to put in everything that the committee would stand for.

Mr. TAYLOR of Colorado. Mr. Chairman, if the gentleman will permit, let me supplement his answer. I will say to the gentleman from Washington that I tried very hard indeed to get favorable provisions inserted in this bill for municipally owned plants, and I was unsuccessful in doing so before this committee. I hope the sentiment of the House may join with me in providing amendments to this bill that will bring about what the gentleman intimates that he would favor, and I am exceedingly in favor of encouraging and at least making it possible for the municipalities to own their plants, and I feel that this bill as it now stands gives but mighty little encouragement to that laudable ambition.

Mr. JOHNSON of Washington. The gentleman intends to offer amendments to that effect?

Mr. TAYLOR of Colorado. Yes; I intend to offer amendments not only to make it possible, but to give them a preference right to acquire water power, and I am going to do my utmost to try to get the House to adopt amendments of that kind.

Mr. MILLER of Washington. I want to assure the gentleman from Colorado that those of us who have looked with favor upon municipally owned plants, particularly those that have been successful in the West, will be glad to have the cooperation of the gentleman from Colorado.

Mr. LA FOLLETTE. Mr. Chairman, the committee thought that the gentleman, in his zeal and desire to get development by municipalities, was trying to encroach on what was or should be the equal rights of individuals, and the committee could not altogether agree with the gentleman as to some of the desired provisions.

Mr. TAYLOR of Colorado. I do not admit that an individual or a corporation has an equal right with a municipality to own a water-power site. I feel that the municipality, the citizens themselves, ought to have a preference right over any corporation in the water power for their own municipal uses, and that was the bone of contention before the committee on which they were divided.

Mr. MILLER of Washington. If the gentleman will yield for a moment, I want to express myself as thoroughly in accord with the gentleman from Colorado [Mr. TAYLOR] on that subject.

Mr. LA FOLLETTE. I yield the floor, thanking the committee for its attention. [Applause.]

Mr. ESCH. Mr. Chairman, I yield 40 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I am delighted to have so splendid an audience before me as I proceed to the discussion of this highly important legislation. Not all of the Members are here, it is true, but such as are here represent the flower of this legislative body. [Applause.] And they are the gentlemen whom I particularly desire to address in this connection.

Mr. SLOAN. Will the gentleman yield?

Mr. MONDELL. "The gentleman" will yield to "the Senator from Nebraska." [Applause.]

Mr. SLOAN. I think the audience thoroughly reciprocates the sentiments of the gentleman.

Mr. MONDELL. The gentleman is a truth-teller.

Mr. Chairman, first, I want to discuss this measure from the standpoint of the West, and particularly of the intermountain West, the section of the West whose water-power possibilities are almost wholly on nonnavigable streams. I have the honor to represent one of the very few States in the Union that never

get into a river and harbor bill because of the fact that it is impossible by the most extraordinary stretch of imagination to bring any of our beautiful streams within the category of navigable waters.

Speaking from the standpoint of the intermountain and the Pacific west, so far as their water-power development is from nonnavigable streams, I must say that I regret that the water-power development of that character is to be brought within the jurisdiction of the commission provided for in this bill. I shall support the bill, however, because I realize that the views that many of us hold with regard to these matters do not seem to be the views of the majority of the Congress, and therefore we are for the legislation, though we do not think it aptly applies to our situation as the best legislation obtainable. What we ought to have and all we need in all the public-land States for power development on nonnavigable streams is a good right-of-way act, an extension of the provisions of the act of March 3, 1891, to include the uses of water for the development of power and the restoration of the lands now reserved as power sites. Under such a right-of-way act, now applicable to practically all other uses of water, such as irrigation, municipal, and domestic uses, we would have a large development unhampered and unvexed by Federal authority.

The Federal Government controls no water in that section and in such streams, whatever may be the character of its authority elsewhere. The waters belong to the people of the States and the only property that the Federal Government has is land; generally land of no great value lying along the borders of the nonnavigable streams. The only reason why Uncle Sam still continues to own those lands is because they are of so little value that succeeding waves of homestead settlement have passed them by because settlers have not considered it worth while to acquire them. Otherwise the Federal Government would own but little land in that section needed for water-power development. And while this is true, the further fact is true that, except on the forest reserves and in the higher areas of the forest reserves particularly, comparatively little of the land that will be utilized for much of the hydroelectric development is public land.

But the plan and purpose of those who for many years have been endeavoring to extend Federal control over water-power development of that sort and kind is to utilize the necessary use of small areas, fragments of the public lands in connection with power development as an excuse for bringing the entire development under Federal control. The land so used may be only a narrow strip of broken, rock-bound hills, over which it may be necessary to carry a ditch or pipe line, or perhaps a strip of comparatively worthless public land over which it may be necessary to carry a power line. Taking advantage of this situation, the necessity which exists in some places for the utilization of a considerable amount of public land, but in the majority of instances of a limited amount of public land compared with the entire area used for the development, it is proposed to bring these enterprises under the same jurisdiction and control as enterprises necessarily under Federal control by reason of the fact that they utilize waters useful for navigation over which the Federal Government has jurisdiction and with regard to which it has a duty to perform in maintaining the navigable character of the streams.

There are other reasons why it is unnecessary from the standpoint of the public interest to apply a measure of this kind to development on nonnavigable streams in the western section. If there is any portion of this country that needs Federal control, over and beyond the duty of carrying out the Federal obligation to maintain navigability, it is the part of the country to which this bill will not apply. That is the section east of the Mississippi River, where the law of riparian rights control, and where the public has no direct, positive, and definite control over the use of water. In all the western States the ownership of water in the people collectively is recognized, and water can not be diverted from its natural channel for any purpose whatever except under public control and by permission of public authority. Without regard to what the use may be, the water is at all times under that public control. In such a section it must be very apparent to any thinking man that there is no very considerable need for the establishment of Federal control over and above the absolute, unquestioned, unchallenged local control over the use of water.

But whether we like it or not, we are likely to come under the provisions of this bill, and, therefore, we are tremendously interested in its provisions, not only from the standpoint of our own section, but from the standpoint of the people of the country as a whole. With just one more reference to our western situation, I want to discuss the bill from the standpoint of the country generally.



During the discussion of this bill in the committee there were some members of the committee who, I understood, believed it important that the use of water for the purposes of irrigation should be considered in connection with the issuance of the permits and licenses provided for in the bill. Of course, it is apparent to anyone upon the slightest reflection that a bill drafted as this bill is, with a view of developing power and with a so-called recapture clause, can not properly apply to the diversion and the use of water for the irrigation of land to which the water so applied becomes appurtenant. A recapture clause in the case of an irrigation enterprise would involve the possible eventual taking over by the Federal Government of farms and homes, towns and municipalities, all of the developments of great communities dependent on irrigation.

Mr. SLOAN. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. SLOAN. Is the purpose of this bill to give exclusive control of these streams to the Federal Government and take away from the States the control that has generally been understood belong to the States?

Mr. MONDELL. The bill, thanks to the good judgment of the membership of the committee, expressly disavows any intent or purpose of taking over control of the waters from the States. But nevertheless and notwithstanding, the fact of Federal ownership of land is taken advantage of to assert a control and jurisdiction that could not be acquired in any other way, the theory being that the Government in granting the use of its lands may fix any sort of a condition relative to that use. It is not an entirely sound theory, in my opinion, but we have passed that phase of the discussion long since, and we have reached the point where we are discussing these things from the standpoint of what is likely to happen and occur, rather than what we would like to have happen.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. GREEN of Iowa. In that connection I may say that while I understood the gentleman to state in reference to governmental control generally, I did have the impression, as far as the water-power sites are concerned, the Government intended to assume absolute control. Am I correct in that?

Mr. MONDELL. The Government has no control over the waters of nonnavigable streams, or the power developed from it, where the Government does not own land. In other words, the Government would have control of very little water-power development in the New England States except in the lower courses of the rivers, only partial control on the South Atlantic seaboard, very little in the gentleman's own country, and only partial control in my section of the country and elsewhere. In other words, the bill can only apply to those classes of cases where the waters utilized are navigable over which the Federal Government has control for the purposes of maintaining navigability. As to the nonnavigable streams, control arises, if at all, out of the fact that there may be lying along the banks of a stream, or somewhere in the locality, land useful in the development which belongs to Uncle Sam. Advantage is taken of such a situation to bring the development under Federal control.

In my section of the country water power entirely free from Federal control will be running side by side with water power under Federal control, and that will be true in every State in the Union having nonnavigable streams. In States that have no public land the development on nonnavigable streams will be free of Federal control under this bill.

Mr. GREEN of Iowa. Will the gentleman yield further?

Mr. MONDELL. I will.

Mr. GREEN of Iowa. I see that I did not express myself clearly. The line of jurisdiction between Federal control and State control is, of course, very clear and easily stated, but where once the jurisdiction has attached and where once it is put in force, by and through this bill, then I understand that the jurisdiction will be absolute and the State will not be permitted to interfere in any way.

Mr. MONDELL. While we are on the question of control it might be worth while to consider just what the provisions of the bill are in that regard.

First, all projects licensed under the act are under control of the Federal commission, as follows:

The licensee shall "make all necessary renewals and replacements, shall maintain adequate depreciation reserves for such purposes \* \* \* shall conform to such reasonable rules and regulations as the commission may from time to time prescribe for the protection of life, health, and property."

As the local authorities also have jurisdiction over these matters there is in regard to them a divided jurisdiction, the boundaries of which must eventually become the subject of judicial decision.

Second, every project licensed under this act, except certain minor and municipal development, must "pay to the United States reasonable annual charges in an amount to be fixed by the commission." As the State has the power to tax the tangible property, this will, of course, be a burden on projects licensed in addition to the tax burden borne by competing concerns not under Federal license.

If the project operates wholly within a State, the bill provides that the licensee "shall abide by such reasonable regulation of the services to be rendered to customers or consumers of power, and of rates and charges of payment therefor, as may from time to time be prescribed by any duly constituted agency of the State in which the service is rendered or the rate charged."

Where the project and its service is not all in one State, the following provisions of section 20 apply:

Sec. 20. That when said power, or any part thereof, shall enter into interstate or foreign commerce the rates charged and the service rendered by any such licensee, or by any subsidiary corporation, the stock of which is owned or controlled directly or indirectly by such licensee, or by any person, corporation, or association purchasing power from such licensee for sale and distribution or use in public service shall be reasonable, nondiscriminatory, and just to the consumer, and all unreasonable, discriminatory, and unjust rates or services are hereby prohibited and declared to be unlawful; and whenever any of the States directly concerned has not provided a commission or other authority to enforce the requirements of this section within such State, or to regulate and control the amount and character of securities to be issued by any of such parties or such States are unable to agree through their properly constituted authorities on the services to be rendered or on the rates or charges of payment therefor, or on the amount or character of securities to be issued by any of said parties, jurisdiction is hereby conferred upon the commission, upon complaint of any person aggrieved, upon the request of any State concerned, or upon its own initiative to enforce the provisions of this section, to regulate and control so much of the services rendered, and of the rates and charges of payment therefor as constitute interstate or foreign commerce and to regulate the issuance of securities by the parties included within this section.

Mr. MAYS. Does the gentleman class Green River in his State as navigable?

Mr. MONDELL. I do not think Green River can be properly classed as a navigable stream.

Mr. MAYS. According to the definition given by the gentleman from Tennessee, it certainly would be navigable if it will float a saw log and on which a boat can be operated.

Mr. MONDELL. Of course, that is a very large question which we might discuss at great length and arrive at no definite conclusion. There are all sorts of opinions as to what constitutes a navigable stream. Those questions will have to be eventually decided.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. MONDELL. Certainly.

Mr. TAYLOR of Colorado. Under the definition of this bill of navigable waters, has the gentleman ever considered the possibility of Federal construction including all of the streams in the United States, instead of only a part of them, all of them being put under Federal control?

Mr. MONDELL. Unless the Supreme Court shall render a decision different from those that have been rendered heretofore there will continue to be many streams in the Union that are not navigable.

Mr. SLOAN. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. SLOAN. Does this bill give a new definition to the term "navigable?"

Mr. MONDELL. It gives a definition of navigability.

Mr. TAYLOR of Colorado. On page 26 of the bill.

Mr. MONDELL. It does not, I imagine, absolutely fix, decide, and determine the question. But even under that definition, fairly construed, I would say that none of the streams in my State are navigable, and none of the streams in the State of my friend from Nebraska are navigable. That, however, is a matter which will require some consideration when we reach it.

But, coming back to this question of irrigation, I find from a careful reading of the bill that the committee has endeavored to hew to the line and to exclude from the bill diversions of water used for irrigation purposes, although it has referred in one section to the development of power for irrigation purposes—that is, for the purpose of pumping for irrigation—and it is perhaps wise to do that. But there is one provision in section 10 of the bill on which I am not entirely clear, and which I want to discuss under the five-minute rule a little later. It provides that the commission in considering the issuance of licenses shall take into consideration the most comprehensive scheme of improvement and utilization for the purpose of navigation, of water-power development, irrigation, and other beneficial purposes.

What I fear is that that section will be construed by the commission as in some way giving them jurisdiction over the question of the diversion of water for irrigation. It was evi-

dently not so intended. In my opinion, a fair interpretation would not justify such a view, and yet I fear that that is just the view the commission would take. What I fear is that having invited the attention of the commission to the question of the diversion of water for irrigation, we shall have the commission in a short time assuming to pass on applications which should be granted under the right-of-way act of 1891 for irrigation. Let us remember that the Secretary of the Interior, who is the officer who administers the act of 1891, is a member of this commission, and a Secretary of the Interior who was inclined to act on his authority as a member of the commission rather than as Secretary of the Interior might easily do what is done now every day in the year on the forest reserves, relative to irrigation rights of way.

The act of 1891 grants an easement in perpetuity for irrigation, and yet it is a notorious fact that those who enter forest reserves seeking a right of way for irrigation under that act are often met with delays until in many cases the applicant, thoroughly tired out and disgusted with those delays, accepts a suggestion that if he will take a revocable permit under the act of February 15, 1901, he can go to work at once on his development. I presented to the House some time ago a large number of cases where men clearly entitled to perpetual rights of way on forest reserves for irrigation purposes had been persuaded or compelled to accept revocable permits because of delay by the Forest Service in passing on their application. I fear the same thing will occur here under this bill, although clearly the committee does not intend and did not intend to give this commission any authority whatever over the diversion of water for irrigation. In my opinion it would be very much better to leave the word irrigation out of this bill in the two places where it occurs. This is a power bill. It is a bill that proposes what is known as a recapture, which everybody knows would be absolutely fatal to irrigation development.

I fear, when we invite these people to even inquire as to irrigation development in the granting of a power permit, in a short time we will find them asserting control over irrigation development upon the theory that the bill was intended to give them some such authority. Nothing that could happen would be more fatal to our development than that.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. TAYLOR of Colorado. I may say that I am delighted that the gentleman from California [Mr. RAKER], a member of the committee, is here to hear the statements of the gentleman from Wyoming [Mr. MONDELL], because I thoroughly coincide with the judgment of the gentleman from Wyoming, and I feel it is very, very dangerous to have that word in here. I call the gentleman's attention to the fact that after strenuous efforts I succeeded by a vote of 8 to 7 in getting section 27 put into this bill, which is the saving clause of our irrigation rights and is copied from the reclamation act, and I am in hopes this may obviate the danger the gentleman seems to feel we are threatened with.

Mr. MONDELL. I am glad the provision the gentleman urged, and which I also urged in my hearing before the committee, is in the bill. It is highly important, and yet the gentleman knows that it is simply a declaration of fact; it is simply the recognition of a fact; but it is important to have it in the bill.

Mr. TAYLOR of Colorado. It is very important to have it in the bill.

Mr. MONDELL. Very important, as I suggested when I was before the committee; but here is the difficulty, that with all of the declarations in the world in the bill, if this water-power commission assumes authority to say whether or no a right of way shall be granted for irrigation, a declaration that they have no control over the water will be powerless to prevent them from doing just what the Forest Service has done in the cases I have referred to.

Whenever you invite these people, who should have to do with power development and that alone, to consider the question of diversion for irrigation, independent of power, you certainly invest them with something of control over that development. That would be harmful to irrigation development.

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

Mr. MONDELL. Yes.

Mr. RAKER. Right in that connection, suppose an application was made under this bill for power purposes and it was granted, the commission finding in the first instance that it was more valuable for hydroelectric-power development than for irrigation, but at the same time that irrigation could be used in connection with it, if the works were so constructed that the water could be made available for that purpose. In that circumstance does not the gentleman think that the irrigation feature

should be taken care of instead of leaving it absolutely useless and idle?

Mr. MONDELL. If the gentleman's statement were that of a situation likely to arise, then I would be inclined to agree with his view. This is a power bill, drawn with a view to the development of power, providing for a recapture, so called, at the end of a fixed period—a thing which everyone knows would be absolutely fatal to irrigation development. In that situation what are you going to do? You might go to the old irrigation right-of-way law and make provision in that law, if it were necessary to do so, under which no power development should be allowed until there had been an inquiry with regard to the uses of irrigation.

But the fact is that power development is not likely to so use and utilize water as to interfere with irrigation development, and the moment you invite a power commission to inquire into the questions of irrigation, they are likely to assume authority either to grant or to refuse to grant the diversion of water for irrigation. Under such construction of the statute the applicant for irrigation diversion might be seriously hampered by the decisions of this board.

Mr. RAKER. Not to interrupt the gentleman, but will he yield?

Mr. MONDELL (continuing). With an attempt to bring the project under their control with all of the fatal effects of the recapture clause.

Mr. RAKER. The recapture clause, as it relates to power, must be as necessarily effective on industries that have been built up by reason of the development as industries and farms built up under irrigation?

Mr. MONDELL. Irrigation could not exist under recapture so called. Nobody would irrigate farms if they thought that at the end of 50 years there was authority to take over the farm, the crops, and the community so built up. My friend from California will agree with me on that, and, therefore, irrigation should not be considered in connection with this water-power development measure. As the bill was originally drawn, it was confined to the use of water for purposes of power, and while the language I have referred to does not grant on fair construction any authority to this commission to attempt to control the use of water for irrigation, I am afraid they will endeavor to use their authority as I have explained the Forest Service use their authority on the forest reserves. I am of the opinion that few ordinary applicants for a right of way on a forest reserve for an irrigation ditch get their right of way under the act of 1891. They ordinarily get their right of way under the act of 1901, which is a revocable permit, unless they are wealthy and powerful and have their attorneys and contest the matter until they finally get their rights. The smaller and the average fellow gets tired of everlasting delays and accepts what he can get rather than that to which he is entitled.

Now, Mr. Chairman, having discussed those features, I want to discuss for a short time what is known as the recapture clause. There are people in this world who have the idea, or appear to have, that in some way you can inveigle capital into investing in the hope or on the pretense that it is going to be protected, and then by a carefully prepared legislative trap take over the result of capital's effort and investment without anybody having paid for it in the meantime. When the millennium comes and men shall work wholly for the glory of God and the good of their fellow men, without the thought of income or reward, you may be able to do that. In the meantime we are legislating to develop enterprise as it is carried on in the world. No man can live and feed and clothe himself and support his family unless he receives a fair reward for his labor and his efforts, which includes fair return on any funds he may have accumulated, saved up, and invested. No one should lay the flattering unction to his soul that you can fix up some scheme whereby you can deprive men of a fair reward and a reasonable income from their toil or their accumulations of toil in the form of cash and still get them to put forth effort. The man who indulges in any such vain imagining is bound to be disappointed.

It is argued that certain so-called recapture provisions should not be adopted because under them it would be difficult if not impossible to secure development. That is a highly important viewpoint. We want development, and we must have laws under which reasonably cautious men, men who do not want to invite financial loss, will feel justified in making investments. If we pass laws under which we can not secure development we legislate in vain. But there is another viewpoint which is even more important than that, and that is the viewpoint of the people to be served. You may secure some development of water power under a revocable permit, and we have in some cases. You might secure some



development of water power under a provision that at the end of 50 years the public shall take the property over without paying a cent for it. You might secure some development under a provision of recapture under which there would be a strong probability of a considerable loss on the investment at the end of the period of the license. We might get some development under any of these plans, but anyone who imagines that any values secured by the public at the time of recapture would not have been paid for in the meantime by the users of power is certainly not using ordinary common sense and judgment. The power-using public would pay for all future losses by increased rates during the license period, and not only pay it all but probably pay it manifold.

Assuming a recapture clause under which at the end of 50 years the plant becomes the property of the public without payment, what is the situation when you come to fix the rates and charges on that kind of property? Why, the first thing that would be done would be to fix an amortization charge. Is there anybody foolish enough to think that such a charge would not be added to the price which the public would pay for the service? Of course, if the enterprise was alongside of and in competition with an enterprise not so burdened the enterprise would not be developed, but assuming that it was not so situated, but it was so located that it could secure business, even at high rates, the public would pay for the final loss on investment in rates and charges. If we are to have any sort of provision of recapture less favorable than is provided in this bill, which I think a fair one, and which is intended to secure the investment against confiscation, then we should have one under which the public takes the property over without paying a dollar, so the investor will know exactly what to expect.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask the gentleman from Wisconsin if I may have 15 minutes additional—

Mr. ESCH. I yield the gentleman 15 minutes.

Mr. MONDELL. Then we would know exactly where we were, and the investor would know where he stood. He would fix his rates and charges on knowledge of the fact that at the end of a 50-year period his investment would be wiped out, and he would recoup himself in the meantime and the user of power would pay for it.

Mr. RAKER. You have the same provision now contained in this bill in regard to the recapture clause, providing for amortization, by which, as a matter of fact, at the end of 50 years the plant will be paid for and can be taken over.

Mr. MONDELL. There is no provision in the bill authorizing a charge or rate for power based on the amortization of the property with a view of returning in 50 years all the investment, together with interest. As a matter of fact, there is no provision in the bill that establishes a basis on which the State authorities shall fix the rates.

Mr. TILSON. I would like to ask the gentleman if, in case a recapture was made as easy as that, so that it would be amortized during the period, whatever it was—50 years or any other time—that would not simply mean that only the most promising of the water-power developments would be made?

Mr. MONDELL. That is true, and therefore no such plan should be adopted. I simply suggested it to illustrate my argument.

Mr. TILSON. All but the most promising would be left without any development at all, and the power that we want developed so as to save coal would not be developed at all.

Mr. MONDELL. That is true. But that is a plan under which everyone would know just where they stood. The man who developed the water power would know that he would have to have a rate high enough to return his principal and interest in the 50-year period. If in his opinion the development could prosper under those conditions he would undertake it, but otherwise he would not undertake it.

Now, how about the recapture plan which has been contained in the bills that have been before the House in the past, and which certain gentlemen are now contending for? Even the chairman of the committee, much to my surprise, has deserted the final judgment of the committee, and the gentleman from Oklahoma [Mr. FERRIS] joins with him. What is it they propose? The gentleman from Oklahoma [Mr. FERRIS] says, among other things, that the House has passed twice practically the sort of a recapture proposition he now approves of, and therefore, like the laws of the Medes and Persians, it should be considered as fixed and unalterable. The last man in this House who should make an argument of that kind is the gentleman from Oklahoma. His committee reported and passed through the House on two occasions an oil bill, as he said, with the indorsement of everybody worth while and the unanimous vote of the House. Those bills contained certain

provisions of great and vital importance. On the third occasion on which the leasing bill was presented to the House by the gentleman from Oklahoma in lieu of the provision to which I have referred it contained a radically different provision, insisted upon by the gentleman from Oklahoma, a provision much less satisfactory to those interested and affected by it, and this provision was adopted.

It is true that on former occasions when water-power legislation was before the House a recapture provision, quite different from that now contained in the bill, was agreed to. I doubt, however, if that recapture provision was entirely satisfactory to anyone.

Let us examine for a moment that recapture provision which the gentleman from Oklahoma refers to in his minority report and insists shall be adopted in lieu of the provision now in the bill, which was submitted to the committee by, and has the approval of, the Cabinet members who will compose the Federal power commission. The recapture provision now insisted upon as a substitute for the provision in the bill sounds fair enough, as it proposes the taking over of the property at the end of 50 years on the basis of what is called "fair value." The taking over of the properties at their fair or reasonable value, if that is what was actually proposed, might not be particularly objectionable if it were not for the element of uncertainty involved, but this particular "fair value" scheme is subject to all sorts of exceptions and limitations. It is, in fact, anything but a real fair-value appraisal.

Under this particular scheme of so-called "fair value" no credit is to be given for increases of land values during the 50 years, notwithstanding the fact that in the majority of cases none of the lands would have been acquired from the Federal Government. No part of the so-called "fair value" is to be based on the business which has been built up during the period. There is to be no appraisal of "fair value" of franchises or contracts or good will. The so-called "fair value" is to be based only on the physical property, not including increased values of real estate.

In other words, it is proposed that the investor shall take all the chances and all of the risk, including the risk of having his property taken over at merely the bare value of the machinery and equipment.

Such a provision is not fair from the standpoint of the investor and is not in the public interest, because so uncertain that the public would have to pay increased rates and charges to compensate for the uncertainty and probable loss. An uncertain proposition like that invites the highest kind of high rates during the entire period of the license, on the theory that as there is likely to be a loss at the end of the period the investor has the right to recoup himself for that anticipated loss by charges high enough to cover it. Of course, if the conditions are such that the plant can not be operated because the business will not stand high rates, the enterprise will not be undertaken, or, if undertaken, will not be fully developed and may close down. We may be certain, however, that if a plant operates under that sort of a recapture clause the public will pay in rates and charges for all the uncertainties of the investment.

Take any ordinary rate-fixing board, with a provision such as the gentleman from Oklahoma contends for and such as I regret to say the chairman of the committee now seems to contend for. What would be the situation? Assume, as an illustration, that you gentlemen were members of a rate-fixing board, anxious to do your duty both by the people who furnished the power and those who pay for it. Suppose a power company were to appear before you with a view of having rates fixed.

They would present, first, a statement as to investments, depreciation, cost of operation, and the production of power. In addition to that, they would call your attention to this recapture clause, to its character and its probable effect on their particular enterprise. They would dwell on the uncertainty of the project incident to surrounding conditions and particularly on the uncertainty surrounding the investment at the end of the 50-year period. With such a recapture clause as is proposed, they could convince any reasonable person of the strong probability, amounting to almost a certainty, of a very considerable loss on the investment when the recapture clause became operative.

Any honest rate-fixing board would be compelled under the circumstances to establish rates high enough to cover these elements of uncertainty, these items of loss. If they did not, the courts would soon remind them that the investor has the right to a fair return on his investment, including a sum sufficient to reimburse him for property proposed to be taken over. As the investor would be entitled to the benefit of any reasonable doubt, the rates fixed or decreed would in all probability, in the majority of cases, prove to be more than ample to cover the final loss, and the public would suffer, as the public always does

when some unwise, overzealous, or demagogic alleged friend sets on foot some illogical, unjust, or uneconomic scheme.

It is of vital importance that we shall have legislation which will insure the largest possible soundly economic development of water power. It ought to be entirely clear to the most superficial student or investigator of the subject that we can not hope for such development, except under conditions which will make low rates possible, and that low rates will only be possible if to the natural uncertainties and hazards of such enterprises we add no statutory artificial hazards and uncertainties.

Let us keep constantly in mind the fact that our aim and purpose should be to secure large development and to give the public the use of this development under the very best conditions and at the lowest possible rate. We can only hope to accomplish that by refraining from laying excessive burdens, creating artificial legislative handicaps, and avoiding impairment or confiscation of the investment.

No enterprise built under the provisions of the bill can successfully contend that it will, by reason of the provisions of the recapture clause, suffer any material loss in its capital investment at the end of the period, and therefore they can not ask for a penny in the rates and charges based on such a loss.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. HUMPHREYS. The gentleman assumes that the people who engage in the development of these water powers do so in order to make money?

Mr. MONDELL. That has been my assumption. I grant you from the viewpoint of some gentlemen that seems to be a violent one.

Mr. HUMPHREYS. I wish to call the gentleman's attention to a statement—

Mr. MONDELL. And I want to say to the gentleman right there, that no one more than I insists that there shall be at all times public control, unquestioned public control, over the rates and charges, so that there shall not be more than a reasonable income.

Mr. HUMPHREYS. Let me call the gentleman's attention to a statement made by the chairman of this committee the other day in response to a question that I asked of him, because I myself had been laboring under the impression that probably gentlemen who invested their money in water-power development had some notion that they would make some money from the transaction. He said:

Let me call the attention of the gentleman to the fact that the Government is not hunting up anybody to give them permits to make money for themselves.

[Laughter.]

Mr. MONDELL. I think the chairman of the committee must have made that statement without thinking for the moment just how it sounded. And that brings me to another idea on which part of the theory in regard to flytrap recapture clauses is evidently based.

Some gentlemen seem to have in their minds some such theory as this, that in sundry and divers places throughout the country there are golden opportunities lying around loose, like coined doubloons, ready for some one to pick them up, and that the Federal Government actually has great, instantly valuable, and coinable resources of vast wealth which it is proposing to hand out under this bill. If I held any such view as that I would not be for such legislation as this at all. The Federal Government has no right to hand out to any individual immediately available resources of very great value. If the Federal Government has such it should utilize them in the interest of all the people. There may be a few cases where the Federal Government has itself made a development which renders a water power instantly or readily available. In such cases there should be a real charge based on the Government's investment.

In the majority of cases water-power projects are questionable in the extreme. They require the most careful examination, and if found feasible the most intelligent and painstaking development and management. They are subject to all sorts of contingencies and uncertainties, and we can not hope to secure their development unless we do the fair thing by the investor. The investor takes all the chances; let us not forget that. We are not proposing to relieve the investor from any of the perils that naturally attach to his enterprise; let us not, however, create artificial dangers and invite artificial uncertainties. If we do, we not only retard or prevent development but we afford excuses or reasons for the laying of added burdens on the people.

I insist on the strictest and most continuous public control of every service and every rate. But that being done, let us not imagine that we can lay burdens in taxes and charges and final confiscation that the people will not pay. They will pay them,

and they will pay them multiplied times over, as the years go by, in the rates and charges for the use of these properties.

The interest of the public in all water-power development is this: The most complete development, the largest possible use, and the lowest possible rate. We will secure all these if we make the conditions clear and definite and lay the fewest possible burdensome obligations. Let us control, not burden these enterprises, to the end that we may secure the largest development, and that the people shall have the widest and best use at the lowest possible rate. [Applause.]

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

Mr. ESCH. Mr. Chairman, I yield 25 minutes to the gentleman from New York [Mr. SNELL].

The CHAIRMAN. The gentleman from New York is recognized for 25 minutes.

Mr. SNELL. Mr. Chairman, the development and utilization of the latent water power of the country is the most important question before the American people. Both from a commercial and economic standpoint it appeals equally to all, and it was the one subject, besides regular war legislation, of such importance as to receive special mention in President Wilson's first message to the Sixty-fifth Congress. It is especially befitting that this legislation should be considered at this time when preservation and conservation are uppermost in the minds of our people, for it is the only known natural resource that is not lessened or diminished by continued use, and its fullest conservation can only be accomplished by its complete utilization. The development of water power goes hand in hand with progress and prosperity, brings comfort and profit to humanity without destruction, without deterioration, and without loss. As a people develop and advance in civilization, so also are their water powers made most use of. In France and Germany water power and water transportation play an important part in their national life, while in the Western Hemisphere, with our superabundant supply of nature's resources, we have never given them the attention their importance demands, and only in New England and some of the Eastern States has any substantial part of the available water power been used.

Power, and cheap power, is the cornerstone of a nation's industrial progress, and the internal development of any country must precede its external commerce, and this power, like "acres of diamonds," is to-day lying dormant in the dooryard of the American people, and we have not awakened to our opportunity, as is shown by the fact that we have only developed about 8 or 10 per cent of the 60,000,000 horsepower available in this country. The last two decades have seen the greatest advances and development during our Nation's history along every line except water power. Just stop for a moment and consider what has been done in the iron and steel industry, railroads, paper and pulp, telegraph and telephone, manufacturing of every kind, and, above all, in the knowledge and use of electricity, yet the very source of this electrical energy, water power and hydroelectric development, has been at a practical standstill, except in private domain where Federal control could not interfere.

It was with full knowledge of present conditions that led the President to say:

It is imperatively necessary that the consideration of the full use of the water power of the country and also the consideration of the systematic and yet economical development of such of the natural resources of the country as are still under the control of the Federal Government should be immediately resumed and affirmatively and constructively dealt with at the earliest possible moment. The pressing need of such legislation is daily becoming more obvious.

It is a fact universally conceded and not contradicted that the sole reason why but 10 per cent of the water powers of the United States have thus far been developed is because capital for development purposes can not be obtained under the unfair, unbusinesslike, and restrictive terms of the Federal laws now in force.

#### PRESENT LAW.

Prior to 1890, when Congress passed the first general law controlling structures in navigable streams, the individual States exercised their sovereignty over navigable rivers, authorized the construction of dams and bridges, and defined the rights of riparian owners in their waters without any interference on the part of the Federal Government. While the act of 1890 was quite general in its effect, the act of 1899 assumed complete control over all navigable streams and actually forbade the construction of any piers, dams, or structures of any name or nature without the special consent of Congress.

An act entitled "An act to regulate the construction of dams across navigable rivers" was passed in 1906, which required the consent of Congress by special act for any dam construction



and provided the conditions upon which any construction or development could be made.

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

Mr. SNELL. Yes.

Mr. HUMPHREYS. What is the act of 1899 that the gentleman referred to?

Mr. SNELL. Eighteen hundred and eighty-nine, I should have said.

Mr. HUMPHREYS. What is that?

Mr. SNELL. That was the first general law controlling structures in navigable streams passed by the Federal Government. Before this individual States exercised control over navigable streams; but there was no specific law really contained in the act. But I am now speaking of the act of 1906, which was superseded by the act of 1910, which is the present law. This act, which was intended to amend former acts, really repealed them all and completely covered the question of power development. This act not only requires the consent of Congress by special act for each individual development on navigable streams and on public domain but, as far as possible, describes the conditions under which all construction must be made. These conditions are so entirely impracticable and uncertain that all water-power development under Federal control has practically ceased.

First. This act requires the person making the development to comply with or construct according to plans approved by the Secretary of War and Chief of Engineers and authorizes those officers to impose such terms and conditions as they deem necessary to protect present and future needs of navigation. That is, the Federal Government may come along after you have completed your development and require you to construct, maintain, and operate without expense to the Government any necessary dams, appurtenances, works, locks, sluices, or other structure or structures which Congress, the Secretary of War, or Chief of Engineers may at any time consider necessary or in the interest of navigation. Of course, the first part of this reservation is proper and correct, that they should make all due allowances and reservations for navigation; but when you add on the fact that the owner of the development must make any additional expenditures that some officer might in the future deem necessary, and to operate it for all time without expense to the Government, regardless of cost, regardless of the proportionate expense of this added construction to the original cost or size of the development, you have placed restrictions in the law that no sane man or man of experience will go up against. I can readily conceive of a small development where the Government might come along later and call for an expenditure of an amount in building locks, sluices, and so forth, that would even be in excess of the original cost.

Second. The Secretary of War is not only authorized to fix and collect various charges for permits granted, but the rights acquired under the act may be annulled at any time by the company's failing to comply with some minor provisions of the act, and the company obliged to actually remove all its dams and improvements of every name and nature at its own expense without any recourse on the part of the courts of the land; and, also, Congress can repeal the act at any time without any protection on the part of the developing company for property taken or destroyed.

Third. The time limit of 50 years in itself is all right, but there is absolutely no provision for renewal or pay for the property taken over by the Government at that time, or guaranty of protection for any business that may be depending on it for power.

Instead of "An act to regulate power development," it should have been called "An act to prohibit power development." As proof of this statement I have only to call your attention to the fact that with but two small exceptions no power developments and river improvements have been made by private capital upon navigable streams since 1912, and developments are prevented and held back aggregating over 2,000,000 horsepower and which would open over 1,000 miles of additional inland waterways to navigation, through investment of private capital, and without taxation or appropriation of public moneys.

The would-be conservationist has, in my judgment, been one of the greatest drawbacks to progressive water-power legislation we have in the whole country. Under this guise they have flooded the people with all kinds of propaganda intended to deceive and mislead. Not one of them ever developed a water power or has had a particle of actual experience in this work. They simply advance fancied theories on the basis of State or Government ownership, and want all the benefits to accrue to the State, all the revenues; in fact, absolute control even if built by private capital. And this bombastic talk under caption of conservation influenced the people for some time, but it is

fast losing its grip, and the thinking, conservative people of this country well know that the only way to stop this waste, to conserve and use this power that is to-day running idle to the sea, is by passing such a law that will not only protect the public but attract private capital. And the water powers of this country will never be successfully and economically developed except by private enterprise and private capital.

NOT ALL PROFIT.

As a result of this false propaganda in regard to profits and water-power trusts, and so forth, a great many people have a mistaken idea about the amount of easy money in water-power development. The idea is prevalent that all you have to do is to find a water power somewhere and the world is yours. Let me disabuse your mind of that fact, for, on the other hand, it is one of the most uncertain and hazardous undertakings of any line of business I know of, not excepting mining or drilling for oil and gas. Furthermore, it takes such a long time to get any returns on your money. Any medium-sized power development will take two to four years to develop, even if you have good luck, and then it may take almost any length of time, from 1 to 10 years, to get full market for your power. And there is no kind of machinery that costs more or wears out and becomes obsolete faster than water wheels and general hydroelectric machinery; therefore wear and tear and replacement expenses are almost beyond comprehension. The average water power is away from the centers of population, in rough and undeveloped sections, and the man who has the courage and nerve to tackle the problem generally has to build roads to it, clear ground, build houses, and a dozen other things that cost an immense amount of money, which are all done away with later, and the casual observer who comes along after the plant is completed and looks it over has very little conception of the work that has been done, the obstacles that have been overcome, or the enormous amount of money that has been spent and is covered up with apparently nothing to show for it.

It is on account of this uncertainty, the hazardous character of the whole work, that makes it absolutely imperative if you want to attract capital and men of experience, energy, and ability to this kind of work—and you will need them all before you finish a good-sized hydroelectric development—to put up a proposition that is something more than a mere interest-bearing proposition, for they can get that without taking all these long chances. Still we hear men arguing on this floor that if the developer gets interest on a successful proposition, and so forth, he should be satisfied. I tell you, gentlemen, going out into the wilds and developing any kind of a proposition is no simple-interest game. You can be one of these "swivel-chair officers" we hear so much about nowadays, and get simple interest; but the man who takes all the chances, and goes out and actually produces something, he does not take it away from anyone; he produces something that makes the world richer; produces something that benefits the present generation and all posterity. That man is honestly entitled to more than a bond and mortgage interest return on his investment, and some people would want him limited to that. He is entitled to a liberal return, for the simple reason that he has been a lifter instead of a leaver in the community in which he lives. The hazards of this kind of work are so many that the paper profit before you begin must be very attractive or you will never get anyone to undertake this work. Let me enumerate some of these unforeseen things that happen in water-power development and you will see that it is not all sunshine. And I might say right here I am speaking from actual experience.

You employ the best and most experienced engineer you can find. He tells you, after months of figuring, surveying, sounding, and estimating, that your proposition will cost so-and-so and will take so long to put in operation. You start on that basis. You have made arrangements for so much money, so long a time to do the work, and on this basis you can make a good profit on the sale of your power. The first proposition you are up against is that low water does not come this year until a month later than the usual year, so you can not get your cofferdams in as you expected. When you do get this cofferdam in, the foundation rock is not as firm as expected and you must get additional machinery and take out a great deal more than anyone could possibly anticipate from the original soundings. The rains come weeks earlier this fall than ever before and high water is on you before you are ready and everything is drowned out and no human effort can help it.

Elements have been against that kind of work all the year, and it becomes freezing weather or such high water that you can not do to advantage that kind of work and must wait—or practically do so—until another season. Thus one year is gone and your work is not well under way, although you have spent

money enough to get nearly all your foundation in. Next year labor is 20 per cent higher than it was ever known before, or you figured in the estimates, and it is impossible to get efficient labor at any price. Thus you go on; one thing after another happens, until you find it has taken 12 to 24 months longer than you expected and cost anywhere from 50 to 100 per cent more than you figured to do the work. Then, when you are ready for business, the public-service commission comes along and values the property, insists on the highest-grade service, and regulates the rates in such a way that it is difficult to figure a fair interest return on the investment.

This is the history of all water-power development—costs much more than you expect and takes longer to do the work. So there must be more than ordinary inducement on the start or men will never undertake it. The three largest water-power developments in my State in the last 20 years have all failed from one to three times before they got on a firm business basis. The largest one was reorganized by the third set of men before it was a paying proposition. One, I think, is still in the hands of a receiver; and yet the casual observer or uninformed will tell you about these water powers and how much they are making when he does not know how many thousands of dollars have been sunk there and the years it took to put them on a paying basis.

Therefore, gentlemen, on account of this uncertainty, the hazardous nature of it all, if you want your water powers developed you must pass a law liberal enough in every way to attract men of experience and capital or these powers will continue to lie dormant, the same as they have in the past.

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

Mr. SNELL. Certainly.

Mr. WALSH. The gentleman is making a very interesting statement, and I know he has a very intimate knowledge of this problem. I wanted to ask him if, under the provisions of this bill, water-power development in his own State would be materially stimulated or encouraged? How much opportunity is there in the gentleman's State for the further development of water power?

Mr. SNELL. As far as our own State is concerned, outside of a few special places like the St. Lawrence River, the water power is fairly well developed; and, as I understand the bill or as I hope the bill will be when entirely completed, the non-navigable streams, or what we call in our State non-navigable-in-fact streams, will not come under the provisions of the bill. There is a big power on the St. Lawrence River that must have some special legislation before it can ever be developed; but that, of course, being a boundary stream, I do not understand that it comes under the provisions of this bill.

Mr. WALSH. One further question. Has the State of New York assisted private capital in the development of water power?

Mr. SNELL. Not that I know of.

Mr. WALSH. So that the great power plants in the gentleman's State have been established and maintained through private capital?

Mr. SNELL. Entirely through private capital.

Mr. TILSON. Mr. Chairman, will the gentleman yield there for one question?

Mr. SNELL. Yes.

Mr. TILSON. Referring to the streams that the gentleman has spoken of, are they inside the State entirely?

Mr. SNELL. Absolutely.

Mr. TILSON. And are under the control of the State, and would not come under the provisions of this bill?

Mr. SNELL. I do not consider they will come under the provisions of this bill. My purpose was to show that all development has taken place on streams not affected by Federal laws.

Mr. TILSON. My own recollection agrees with that of the gentleman, that all water-power development has practically stopped since the original law of 1910 was passed, so far as United States waters are concerned, or waters which the United States controls.

Mr. SNELL. Nothing has been developed since the enactment of the present law, with two small exceptions.

Mr. TILSON. And the development has taken place largely within the States without being hampered by the law of 1910?

Mr. SNELL. Yes; almost entirely so.

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

Mr. SNELL. Certainly.

Mr. SINNOTT. Speaking of non-navigable streams, what is the outlet of those streams that the gentleman referred to? What do they flow into?

Mr. SNELL. I want to take up that question later. There may be some discussion about that point. They flow into navigable streams.

Mr. SINNOTT. Then, according to the theory of some, Congress would have jurisdiction over those non-navigable feeders on the theory that he who destroys the foundation of my house takes the prop by which it is sustained. On that theory Congress would have jurisdiction over the non-navigable streams for the purpose of protecting navigation on the larger streams into which these smaller streams flow, and thereby your non-navigable streams would come under the provisions of this bill.

Mr. SNELL. I think they would under that construction.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield for a question?

Mr. SNELL. Yes.

Mr. TAYLOR of Colorado. I want to say that I am very glad that the gentleman feels that his streams will not be included; but as a member of this committee, I think the policy contemplated is to include them all; and when you attempt, as I hope you will do, to have some express provision placed in the bill regarding them, you will find a great deal of opposition to anything that specifically limits or excludes them.

Mr. SNELL. I am going to take up that subject later in my remarks.

The idea that any law that Congress may enact would be eagerly accepted by would-be water developers and by investors has thus been proved to be a delusion. To be effective, to cure the present stagnation, and to bring about the development of our now wasting water powers, the present faulty laws must be repealed and replaced by legislation based upon business principles. As I have already tried to show, and shall endeavor to show later on, the water-power business, under the supervision and control of the public authorities as to rates and service, is conducted upon a close margin of profit; and if development capital is to be secured the investor in water-power securities must know in advance that in so far as the requirements of Federal laws are concerned they will be such as will protect and not imperil his investment.

Prudent men could not give their time nor invest their money under the impractical conditions of our present Federal laws, and, prevented by the laws and policy of their own country from engaging in developing the water powers of the United States, our citizens have found in other lands the welcome for their enterprise and capital denied them at home. Thus over 300,000 horsepower has been developed in Canada, Norway, Sweden, and France by Americans with American capital, and the establishment of great industrial plants involving the expenditure of millions of dollars and the employment of thousands of men has been lost forever to the United States. I have a concrete example of this in my home county. A company owned a power site on the St. Lawrence River, but on account of the restrictive laws of this country and their inability to get a proper charter, they went 75 miles down the river into Canadian territory and purchased a new site, put in a development, used the same water, met all navigation restrictions and regulations, developed 150,000 horsepower by hydroelectric energy, and are to-day bringing over one-half of that power over 85 miles of wire back into the United States and manufacturing equipment for the United States Army.

The CHAIRMAN. The gentleman's time has expired.

Mr. SNELL. Will the gentleman from Wisconsin yield me about 10 minutes more?

Mr. ESCH. I yield the gentleman 10 minutes.

Mr. SNELL. Thus millions of American money have been spent in Canada, labor employed there, and taxes paid there that should be in the United States. But that is not the whole story. If Canada needs this power she may take it at any time and shut off a supply that is of vital importance to this Government at this time. With proper legislation on our statute books this important water-power development would to-day be under the American flag at the complete command of the Federal Government.

Let us be careful, therefore, that in the preparation and the enactment of the new legislation now under our consideration we do not perpetuate instead of cure the present unfortunate situation. If we adopt a narrow, cheese-paring policy and load down development and operation with too many restrictions, our water powers will continue to waste while those of other countries are being utilized.

A good deal has been said regarding Congress protecting the interests of the people in this matter. It is in the interest of the people, and tremendously in their interest and for their benefit, that Congress should enact legislation of a character which will encourage and not prevent water-power development. The importance and necessity that coal and oil should be conserved through utilization of the hydroelectric energy now wasting in our falling waters is so great that Congress could well afford to authorize the payment of a substantial



bonus for hydroelectric development if it could be secured in no other way.

It is estimated that under stress of war conditions and necessities brought about through lack of coal and shortage of electrical energy for production of munitions, that during the period since the war began the development of over 2,000,000 water horsepower has been undertaken in European countries. It may be truthfully said that it will take from two to three years to complete water-power developments on a large scale, and that the war will probably be over before the power would be ready for utilization. But the war may last for three years or more, and the development of our water powers and the utilization of the vast amount of energy contained therein, which would largely replace man power, might be a mighty factor in deciding the conflict in our favor. I consider, therefore, that water-power legislation is essentially war legislation, and that not an unnecessary day should be lost in its enactment. And in the time of peace to come, when the nations will grapple as never before for world supremacy in trade and commerce, no factor will be so important, so necessary, to industrial expansion and to the growth of our foreign commerce as cheap electrical power in unlimited quantities.

The country needs and demands that our water powers be developed. The newspapers all over the land are voicing this demand. All but 6 of the 1,339 business organizations which constitute the membership of the United States Chamber of Commerce, and having a membership of over 500,000 business men, have voted recommending "that Federal legislation encouraging the development of water powers should at once be enacted."

The hour has struck. The country calls on Congress to promptly enact water-power legislation of a nature that will insure development.

I have carefully studied the bill reported by the Water Power Committee. It fully protects every public interest. Its terms and penalties are severe. I wish that its terms were more encouraging to the investor, but, with the three changes indicated below, I believe that it will put the proposed Federal power commission in a position to issue permits under which money might be obtained for development purposes.

#### FIRST CHANGE.

Section 3, top page 26, defines "navigable waters" as "all streams or parts of streams and other bodies of water or parts thereof, over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States."

From this definition there is no doubt in my mind but that the bill goes further in its control than the committee intended, as I do not believe they intended to bring small feeders to navigable streams under the provisions of this bill or to require anyone who desires to develop power on privately owned land, on these small feeders, nonnavigable in fact, to apply to a Federal commission for a permit. And I believe the language of the Shields bill defining navigable streams, as follows, to be much better:

That the term "navigable waters" as used in this act and as applied to streams shall be construed to include only such streams or parts of streams as are in their ordinary natural condition used for the transportation of persons or property in interstate or foreign commerce, or which through improvement heretofore or hereafter made have been or shall become usable in such commerce. As to all other streams or parts of streams over which Congress has jurisdiction, under its authority to regulate commerce with foreign nations and among the several States, permission is hereby given to construct dams therein, subject, however, to removal or reconstruction, without expense to the United States unless utilized by the United States, whenever the United States enters upon the improvement thereof for the purpose of making the same usable for interstate or foreign transportation: *Provided*, That any person who proposes to construct a dam in any such last-mentioned stream or part of stream may make application to the Secretary of War, and thereupon may receive a permit under the conditions with all the rights and privileges herein provided for streams or parts of streams used for the transportation of persons or property in interstate or foreign commerce in their ordinary, natural, or improved condition. Nothing in this section shall be construed to grant any right to occupy or use any public land.

This definition of navigable streams, in my judgment, could be used to better advantage than that carried in the bill and in no way injure the intent or purpose of the bill, and at the proper time I intend to offer such an amendment, which I trust will be accepted by the committee.

Mr. ANDERSON. Will the gentleman yield?

Mr. SNELL. I yield to the gentleman from Minnesota.

Mr. ANDERSON. The gentleman certainly does not consider this bill in the sense of requiring anybody to apply for a license. There is nothing in the bill that requires anybody to apply for a license.

Mr. SNELL. I certainly do consider that they can not go on and develop on navigable streams and feel secure in their work unless they apply for and act under license.

Mr. ANDERSON. They simply take their chances if they do not.

Mr. SNELL. They certainly will not take chances; so if they do develop they will necessarily come in under this law if passed, and I trust it will.

Mr. ANDERSON. If they develop power on a small stream they take their chances that Congress may at some time make a requirement with respect to small streams. This bill does not do that at all.

Mr. SNELL. I trust that is so, but I say that the language of the Shields bill as to navigable streams should be used in this bill, instead of the language that is used at the present time, for the definition of navigable streams in the Shields bill, in my judgment, covers all that was intended.

Mr. SINNOTT. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. SINNOTT. The gentleman from Minnesota said they run their chances at the present time. At the present time they are not running any chances. They go on a small stream and secure their rights, and if the Government hereafter should undertake to interfere with those rights the Government would have to compensate them for any loss.

#### CHANGE TWO.

Mr. SNELL. The second change that I would like in the bill is in section 6.

Section 6 provides that licenses shall be issued for a period not exceeding 50 years.

Sections 14 and 15 give the United States the option to do one of three things upon the expiration of the license:

First. Upon two years' notice upon or after the expiration of the license to purchase the property for itself;

Second. To issue a new license to the original licensee; or

Third. To issue a new license to a new licensee who, before taking possession of the property, shall purchase it on the terms of the Government option.

But the bill does not cover the time which may elapse between the expiration of the original license and the time when the Government takes action upon one of the three things before mentioned. If this hiatus is not remedied it will prevent development, for it would leave the licensee at the end of his license without any right whatever and in the position of a trespasser until such time as the Government or a new licensee purchases his property or he is granted a new license.

In section 6, line 25, after the word "years," should be inserted an amendment providing that "after the termination of such period the licensee, upon application for a new license, shall continue in undisturbed possession and use under the conditions prescribed in the license until a new license is issued, as provided in section 15 hereof, or until the properties are taken over and compensation is made as provided in section 14 hereof."

#### CHANGE THREE.

Section 15 provides that if the United States does not at the expiration of the original license purchase the property, or if the property is not purchased by a new licensee, that the commission is authorized to issue a new license to the original licensee "upon such terms and conditions as may be authorized or required under the then existing laws and regulations."

Thus the licensee would be obliged, if the property is not purchased from him, to accept a license in accordance with the then existing laws, but which might not be workable and which might imperil his investment and under which he might not be able to earn a fair return upon his investment.

In other words, he might be forced to accept a new license of a character which, could he have foreseen its terms, would have prevented him from making his original investment. I doubt very much whether it will be possible to induce the investment of capital in the development of water powers unless the bill gives assurance that if the original licensee is obliged to continue the operation of the property under a new license after the original license expires that the new license shall be of a nature which will not imperil his investment nor prevent the earning of a reasonable return thereon. I therefore suggest that there be inserted in section 15, page 21, line 1, after the word "regulations," the words "but not for a period of less than 20 years and not such as will impair the net investment nor the right to earn a reasonable return thereon." I consider that this will be only fair to the investor. Capital will not invest in a business where the earnings are close in the face of a condition which might imperil its safety and earning capacity.

I would like these few changes incorporated in the bill, but if the committee does not agree with me I shall support and vote for it. I believe it is the best piece of legislation on this subject ever presented to this House for consideration. It is

the result of honest effort on the part of the committee to meet the demands of the country for legislation that will encourage instead of prohibit future development, and I hope it will pass by unanimous vote and soon become the law of the land. [Applause.]

Mr. LONDON. Will the gentleman yield?

The CHAIRMAN. The gentleman's time has expired.

Mr. ESCH. I yield 15 minutes to the gentleman from Oregon [Mr. McARTHUR].

Mr. McARTHUR. Mr. Chairman, the object of the pending bill, as I understand it, is to secure the development of the water powers of the country. Much has been said and much more could be said of the importance of such development, but it is unnecessary to dwell upon that at length, because substantially every Member of this House understands it. We all know that the only way to conserve water power is to use it; that water power will in many cases take the place of exhaustible fuel resources; that industries which can not exist without cheap power, and which therefore are at present practically nonexistent in this country, will come into being with water-power development; that in connection with water-power development vast irrigation enterprises are possible, greatly increasing the agricultural resources of the country; that water-power development will result in the production of more and cheaper fertilizer products, again to the great benefit of agriculture; that with it new industrial centers will be established, railroad transportation will be improved and perhaps cheapened. In short, we all know that for years the country has been permitting one of its greatest resources to go to waste for the lack of the very legislation we are now attempting to secure.

The question presented, therefore, is not the need of water-power development, but rather the method of development. Evidently there are only two ways: Either the Government must develop the water powers or they must be developed by private capital. I do not favor water-power development by the Government, because I think the Government has sufficient burdens already, but I am willing to concede that if the country were ready for it, and Congress and the Executive were ready to embark upon that policy, water-power development might be secured in that way. The fact is the country is not ready for it, and, if I am able to judge of the temper of Congress, Congress is not ready for it. If Government development of water power were to be depended on to secure the advantages all concede would flow from such development, there would be a very long delay before it could be accomplished, if it ever could be accomplished. The result is that for practical purposes it is necessary to assume that such development can only be secured now by the use of private capital. That is the tenor of the Executive recommendation, partly in response to which we are acting, and it is the theory, and properly so, of the pending bill. Under these circumstances it is natural and proper that some consideration at least should be given to the conditions of investment under which private capital can be secured for these enterprises, or in fact for any enterprise.

Since the war began we have had an important object lesson relating to the source from which the money, which is required in large quantities, must necessarily come, namely, from the savings of the people of the country. These savings, though comparatively small in individual cases, in the aggregate amount up to figures which are enormous. They become available at the present time for war uses through the investment of the people in liberty loans and savings certificates. In ordinary times they become available for the construction of railroads, public-utility enterprises, and great works of all kinds through their investment in securities offered by reliable concerns. There is in normal times a great competitive investment market, where through various agencies the savings of the people are placed to secure profitable and safe investment. Money to develop the water-power enterprises of the country must necessarily be secured in this competitive market. Consequently if we are to secure water-power development by means of private capital it is necessary to make the terms and conditions under which the investment is to be made such that it will afford absolute security to the investor and will be sufficiently attractive so that it can compete in the investment market with other desirable investments offered.

This does not mean that the public interest need in any way or at any time be sacrificed or should be sacrificed. On the contrary, the complete protection of the public interest should be the first consideration. To my way of thinking, the development of the water-power resources of the country is in itself a tremendous public interest. We can do nothing to safeguard the interests of the public by imposing water-power terms and conditions so onerous as to defeat development. The next

matter of great public interest is that after water-power development is secured there shall be public regulation of the rates and charges for service, so that the development, when it takes place, shall benefit the consumers of power. This, I feel, has been amply provided for in the pending bill. A third matter of public interest is that the way may be left open so that at some time if the Government desires to take over and operate these properties it may do so. This also has been amply provided for in the pending bill, but the method of doing so has been attacked in the minority report, and I wish to dwell upon this matter for a moment.

It has been said that the so-called "recapture" terms in the pending bill are so onerous and cumbersome that they practically deny any right of recapture which they purport to afford. I deny that this is true. The term "net investment" is not a cumbersome term nor one not easily understood. The meaning is that if the Government takes over the property of the water-power licensee, thus compelling him to hand over the business and retire from the field, there shall be returned to him the amount of money which he has legitimately invested in the enterprise and no more. It has been said that by this clause the Government guarantees the water-power licensee against loss in the enterprise. Of course, it does nothing of the kind. If the water-power enterprise is unsuccessful the licensee has no power to compel the Government to take over the property, and he must bear his losses as best he can. If, on the other hand, the enterprise is successful, he must at the end of 50 years, if the Government desires it, take back his invested money without any profit whatever thereon, except such as he may have earned from year to year, and retire from the business. He not only is not guaranteed against loss, but he is, on the contrary, prohibited from receiving more than ordinarily reasonable annual profits. In addition thereto the licensee is compelled to make necessary renewals and replacements to take care of depreciation and deterioration, so that upon recapture the Government may have a sound plant. There are some of us who believe that he should be far more liberally dealt with; that when a man has taken the risk and spent the time, energy, daring, and determination necessary to develop one of these hazardous enterprises, he should, if called upon to relinquish it, be given some compensation for the work that he has done other than ordinary annual profits. However this may be, it is perfectly obvious that no one will invest in water-power enterprises unless he is at least assured that he shall not have his property taken away from him without return of the capital invested. This is all the so-called "recapture clause" of the bill provides for.

This legislation means a great deal to my State and to the section of the country which I in part represent. The committee which has reported this legislation has, I believe, given ample and thorough consideration to the measure. While it is not in all respects as liberal as I wish it were, and while I do not believe that it will secure development to the extent I wish development might be secured, I am convinced that it will secure some development almost immediately, and I trust that it will have the approval of this House substantially in the form reported by the committee. [Applause.]

Mr. ESCH. Will the gentleman from Tennessee yield some time?

Mr. SIMS. I yield to the gentleman from Connecticut [Mr. LONERGAN] 10 minutes.

Mr. LONERGAN. Mr. Chairman, the bill under consideration, when properly amended and passed, will be at once a most important piece of war legislation and a powerful addition to that legislation which tends to fortify our Nation for the reconstruction period to follow after the war. The first district of Connecticut, which I have the honor to represent, is vitally interested in it, for we have on the Connecticut River, about 12 miles above Hartford, at what is known as the Enfield Rapids, 40,000 horsepower running to waste every day, although it is situated in the heart of a manufacturing district where more than 100,000 horsepower are being manufactured daily out of coal at a high cost to manufacturers, to say nothing of the difficulties of securing an adequate coal supply at present.

If this bill had been passed before the war broke out we would have been spared the sacrifice of last winter, when coal was sent to the homes of our citizens and to our ships at the expense of our manufacturing establishments, when there should have been enough to go around. Oil would have been saved. The power that might have been available by such a bill as the one under consideration could have been used for factories, while the Fuel Administration could have diverted its supplies to homes and to ships.

Power can be supplied to Connecticut concerns within a reasonable radius of the Enfield Rapids at about half the cost of



producing steam power. Connecticut has already granted authority for the development of this power, the State of Connecticut owning the bed of the river. The State more than 10 years ago, through its general assembly, went on record as favoring a special act permitting the damming of the river at Windsor Locks. The \$5,000,000 necessary for financing this project, I am informed, is ready and waiting. I am told that about 70 Connecticut and Massachusetts men have been organized into a company anxious to see this development made, and prepared to invest their money in it. The men include manufacturers, who want the power in their large industries; transportation men, who wish to see the navigable possibilities of the river developed; and men otherwise interested in the growth of the State.

There is no navigation on the Connecticut River above Hartford on account of the Enfield Rapids. The Government has declined to improve the river owing to the expense of placing a dam across it in order to permit boats to surmount the rapids. It has, however, recommended that certain improvements be authorized, provided private capital build a dam at Windsor Locks.

The passage of this act will practically clear the way for wonderful development.

Added to the long story of the water-power controversy is the feature, now palpable to all, that the enactment of the measure will help immeasurably in winning the war. Then, too, there are the other reasons not so important, but in themselves compelling. The purpose is to serve the public interest; to safeguard the people against any overcharge for power; to prevent illegal combinations in restraint of trade and at the same time to permit and encourage the investment of capital in the development of water-power projects in order that the vast amount of hydroelectric power now being wasted in this country can be immediately utilized. From every part of the country there is an insistent demand for electric power. This call comes from the city and from the country, from factory and from farm, from the manufacturing centers of the East, from the arid lands of the West, and from the new industrial cities of the South. More and cheaper electric power is demanded for lighting our houses and streets, for cooking our food, for use in our factories, for moving our railroads now operated by steam, and for street railways, and for interurban lines; for pumping water for irrigation and to drain the overabundantly watered lands of the South.

Cheap electric power is demanded that this country may be on an industrial footing equal to that of the nations of Europe, where, it must be admitted, the development of the new electric chemical industries is far in advance of this country. The present laws have caused what is practically a deadlock between capital and the Government in the development of water powers upon all rivers under the control of the United States. Grants permitted under the terms of the present laws are not such as to encourage the investment of capital in water-power projects. The result is a complete stagnation of water-power developments. The few plants that have been constructed have either been exceptionally favored in their situation or have become bankrupt.

In the attempt to protect the interests of the public preventive measures have been passed, so that the public has been deprived of the great benefits to be secured from the full and adequate development of the water powers of this country. What is needed to-day is a constructive program rather than a destructive one, legislation which will permit and encourage the development of navigation and hydroelectric plants to the utmost, yet at the same time safeguard the people against extortion by high prices for power and combinations to prevent the full development and use of these powers. It is just as important to secure for the public the benefits to be derived from the development of these waterways as it is to protect them against high prices and illegal combinations.

All legislation should be in the public interest, but it is not in the public interest to pass laws which prevent utilization of the greatest natural resources of this country.

It is now time to pass constructive legislation which will enable the development of these water powers on terms fair to the public and to private capital.

It is a mistaken policy to prevent the present development of water powers in the belief that in the future they will be more valuable than now and a large source of income to the United States Government, to be raised through the taxation of these water powers. All taxation must be uniform. Every tax laid on water powers must be paid by the consumers of the power and means a higher price for power to those consumers. The correct policy is to encourage the development of our water powers and to protect the consumers by provisions which will

prevent extortionate charges for water power, or a too high rate of return, or more than a reasonable return to capital, a policy which will result in both protecting capital against confiscations and the consumer against extortionate rates.

In addition to increasing power, the bill will add to navigation on the Connecticut River. The present dam has been built since 1831. The plan is now to relocate the dam at the foot of the rapids instead of at their head, and, through locks and canals, to provide a continuous journey from Hartford to Springfield and Holyoke.

No one, I am sure, feels that our waterways should be left to the exploitation of private interests, but a program fair to all concerned should be inaugurated. Perhaps in a generation or two the Government will own all water powers, but in the meantime they should be developed along lines laid down by the Government.

The development of the water power at Windsor Locks is a matter which concerns all of the towns situated near that place. This is a manufacturing as well as an agricultural part of the State of Connecticut. The communities which will be directly interested and their population in 1910 follow:

Hartford	98,915
New Britain	43,916
East Hartford	8,138
Windsor	4,178
South Windsor	2,251
East Windsor	3,362
Windsor Locks	3,715
Suffield	3,841
Enfield	9,719
Rockville	9,087
Manchester	13,641
Stafford Springs	5,235
Glastonbury	4,796
Bristol	13,502
Southington	6,516

To-day the population of the above communities, especially Hartford, New Britain, and Bristol, has increased, perhaps, 30 per cent over the figures given.

Every one of these communities is in direct line for the benefits which would result from the developing of the water power at this part of the river. These cities and towns are among the most prosperous as well as the oldest in the State. Among their residents are thousands of people who are engaged in manufacturing and agricultural pursuits, and whose products go beyond the border of the United States. There are hundreds of prosperous mercantile and manufacturing concerns and hundreds of thousands of consumers who will indirectly feel the benefit of a substantial movement to increase the manufacturing facilities in their respective localities. Not only the places I have mentioned but several other important towns and cities in Connecticut and Massachusetts will be accommodated by the proposed improvements on the Connecticut River. There is no question but that with the increased population and continued industrial development the demand for water power is growing rapidly. It would be difficult to estimate the great advantages to the industries of northern Connecticut which are bound to follow when the proposed project opens up this new source of power.

The firm belief in the ultimate success of the project is greatly strengthened by the personnel of those who are back of the enterprise. They are substantial men of affairs who have achieved marked success in other lines and who are identified with the largest commercial and manufacturing interests in their respective towns, and it may be expected that they will bring to this important undertaking the same ability, enterprise, fair dealing, and judgment that have characterized their endeavors in the past.

The Connecticut Valley is anxious to make the most of the natural resources of the Connecticut River. In my speech in the House of Representatives on March 21, 1914, I mentioned the reasons for the widespread desire for the improvement of the Connecticut River. The Connecticut rises in the extreme northern portion of New Hampshire and flows in a southerly direction between that State and Vermont, forming the boundary line between these two States, and through Massachusetts and Connecticut, emptying into Long Island Sound and Saybrook, about 30 miles to the eastward of New Haven and about 40 miles to the westward of New London. Its entire watershed is said to be about 11,000 square miles, of which only about 850 square miles are below Hartford. Most of the important tributaries of the Connecticut River join it above Hartford. Below Hartford there are only five that may be considered of any importance. The Park or Hog River enters the Connecticut from the westward at Hartford about 4,100 feet below the highway bridge, and the Hockanum River flows into it from the eastward about 5,000 feet below the mouth of the Park River. At Middletown, Little River flows in from the westward, and just above East

Haddam the Salmon River and, a short distance above Essex, Eight Mile River empty in from the eastward.

As to the possibilities of the freight-traffic development of the river, the value of freight transported on the river in 1917 was about \$50,000,000; and the tonnage figures pointed toward the million being coal, lumber, building materials, fertilizer, petroleum products, and miscellaneous steamboat freight. Furthermore it costs New England manufacturers nearly \$3 to bring every dollar's worth of coal to the section, according to reliable figures. How long can New England expect to do business under this handicap with the aggressive interior and west, so much more favorably situated in regard to the food supply and the market?

An idea of the large number of people who are in position to be benefited by the development of the river is given by referring to the population of the cities and towns concerned. The communities in Connecticut interested in the river improvements have approximately 800,000 inhabitants. They are in the front rank among New England's manufacturing towns, and their products, which are so diversified that they range all the way from an ordinary pin to an automobile, are shipped to all sections of the civilized world.

Historical records show that a hundred or more years ago elaborate plans were commenced for the development of the Connecticut River. A system of canals was proposed, and charters were secured in Vermont, Massachusetts, and Connecticut. Under the Connecticut charter, which was granted in 1824, the recipient was given permission to widen the channel of the river and remove obstructions from that part of the river between the bridge at Hartford and the city of Springfield. Authority to construct canals was also given. Extensive improvements were made at that time, and it is said that at that period the Connecticut River entered upon its era of greatest commercial activity. According to the records, the whole river was open to navigation from Hartford, Conn., to Wells River, Vt. The river is about 345 miles long. Freight was carried in flatboats with capacity of 30 to 40 tons.

The Connecticut Valley is one of the most important tobacco-producing districts in the United States, the crop for last year alone being valued at nearly \$12,000,000 for that part of the valley within the confines of Connecticut. The river passes right through the heart of the tobacco belt. The problem of irrigation engages the attention of the growers, and the Department of Agriculture is assisting along constructive lines; but the solution of the whole situation would be hastened if, through the present measure, the way can be opened for the irrigation of this large district.

Mr. TILSON. Will my colleague yield to me for a moment before he leaves that subject?

Mr. LONERGAN. I yield to the gentleman for a moment.

Mr. TILSON. In regard to the water power at Windsor Locks, not only will that improvement give water power and not impede navigation, but will it not really make navigation possible which now is practically impossible?

Mr. LONERGAN. Oh, yes; between Hartford and Springfield and Holyoke, Mass.

Connecticut is the munitions State of the Union. A greater part of its manufacturing industries are producing munitions and materials of war than the industries in any other State in the Union. The crying demand is for more power. Every available water power on its nonnavigable streams has been developed to its limit. There are thousands of horsepower on its navigable streams that have not been developed because of failure of Congress to legislate. Last winter many factories engaged in the production of war materials were obliged to shut down on account of lack of fuel, although a few miles away water power on navigable streams remained undeveloped and the waters running to waste.

Those who have studied this situation in Connecticut are convinced that power shortage will constitute a very serious obstacle to the production of materials vitally needed at present in the war. In the district I have the honor to represent, the 40,000 horsepower running to waste at Windsor Locks, if developed, would have saved the transportation of more than 200,000 tons of coal, and released those cars and railroad facilities for the transportation of other articles and help relieve the freight congestion which New England is suffering from. Freight embargo after freight embargo has been placed on New England on account of the inability of the railroads to transport the coal, raw materials, and finished products to and from our factories. Immediate relief from this condition is demanded. It is a vital necessity as a war measure and relief can not come too quickly.

Another great argument for the development of our water powers is the imperative necessity that we produce sufficient fixed nitrogen in this country to meet its requirements.

The development of water power is more closely related to the production and conservation of food than any other project that has been proposed. Other countries with lands in a high state of cultivation many years ago utilized their water powers in the production of atmospheric nitrogen for use as fertilizer. This country, up to the beginning of the war, was dependent largely upon the Chilean nitrate fields for its supply of fertilizer. Since then the price of Chilean nitrate has advanced from \$40 to \$85 a ton, and even at that price a sufficient supply can not be obtained on account of the lack of ships to transport it. The development of cheap water power furnishes the only other source of supply for this product. The fixation of the nitrogen of the atmosphere as a fertilizer through the electric furnace, using cheap hydroelectric power, ranks among the most important of the economic and industrial elements of this generation. The manufacture of air fertilizers, so far advanced and so well established in France, Italy, Norway, and Germany, as well as in other countries, promises to give us abundant and cheap fertilizers, and the fertilizer industry is recognized to-day as the most important of all in its relation and possibilities for reducing the high cost of living. Only by the utilization of our great water powers and the fixation of atmospheric nitrogen can we ever meet European competition in commerce. The countries of Europe on lands that have been in cultivation for thousands of years use double the amount of fertilizer per acre that is used in this country, and for double the amount of fertilizer the European farmer pays no more than the American farmer pays for half the amount, and as a result the yield per acre in Europe is double that in the United States.

Fertilizer in this country will not be cheaper while the war lasts under present methods of manufacture, even if it can be obtained at all, nor cheap enough after the war is over for generous use unless it is made by cheap hydraulic power.

Nitrogen in the form of nitric acid is the main constituent of all explosives used in war, and the immediate development of our wasting water powers and the establishment of atmospheric-nitrogen plants is an immediate war necessity.

The necessity for news-print paper is recognized everywhere. This can only be secured in sufficient quantities by the use of cheap hydroelectric power in the far West. The great unused stands of pulp-wood timber are almost without exception in sections of this country where the available water powers lie either in the public domain or on navigable streams. As power is absolutely essential in the conversion of wood into paper pulp, it is obvious that we can not remedy this situation without the passage of a bill permitting the development of water powers. This is one form of practical relief that Congress can extend to newspapers in a very trying situation, and one that is daily becoming worse.

This bill is therefore a necessity both for purposes of war and purposes of peace. After the war, when the nations have grappled as never before for world supremacy in trade, industry, and commerce, no factor will be so important and so necessary to industrial expansion and growth as cheap electric power in unlimited quantities. Action by Congress is all that prevents the utilization of the vast amount of energy contained in the undeveloped water powers of this country. The country needs it and demands that the development of these water powers be utilized.

Mr. Chairman, I have touched in a general way upon the reasons, peculiar to Connecticut, which should prompt us to pass the present legislation at the earliest opportunity. What is true of Connecticut is, I am sure, true of every State in the Union. The question is no longer a local one. For that matter it is no longer a strictly national measure, for its possibilities have reached out until they have assumed an international aspect. Our whole strength, with the strength of our associates in the war, is bent toward winning the great conflict. The passage of the present measure will enable us to grant still more aid to our allies and bring to an earlier conclusion the world struggle into which we have entered. [Applause.]

Mr. SIMS. Mr. Chairman, I yield 20 minutes to the gentleman from Kentucky [Mr. HELM].

Mr. HELM. Mr. Chairman, the allies have acted wisely in not having heretofore taken any definite action in Russian affairs, but I believe that the time has arrived when prompt and material assistance should be rendered to that element of loyal Russians who are opposing German aggressions in Russia.

The allies are warranted in effectively opposing any Russian organization distinctively pro-German and cooperating in arms with Germany and as a necessary sequence in rendering aid and assistance of every kind to any Russian organization or group distinctively pro-ally, and especially the loyal element that has never broken faith with the allies; in other words, the allies have the same right and duty to save Russia for the true and loyal Russians as they have to save France for the French.



Vague and unconfirmed reports have been circulated relative to the alleged assassination of the Czar. It is reasonable to conclude that they are not true. In the first place, if they were true the world would have known far more than has been published about the manner in which it was done and its effect and bearing on the entire war situation. Second, the loyal Russians have all to lose and nothing to gain by bringing such a disaster to their country. Third, the only element that would be parties to the crime, the Bolsheviks, would not venture to attempt it without the consent and approval of Germany, which it will never get so long as the Kaiser entertains the hope of placing the Czar back on the Russian throne. The Bolsheviks are dominated and controlled by Germany; they take their orders from Berlin, and yet Germany is ready to throw them overboard the instant it becomes expedient to do so by reason of their inability to retain their hold on Russian affairs, which hold is rapidly waning. The editorial in the Washington Post of date July 10, 1918, entitled "The struggle over Russia," presents the situation very aptly and is as follows:

#### THE STRUGGLE OVER RUSSIA.

It is not generally known that Count von Mirbach, the German minister recently slain in Moscow, made a secret proposition to the middle-of-the-road Russians about May 20, offering in Germany's name to throw over the Bolsheviks and revise the treaty of Brest-Litovsk more liberally for the Russians, if the Russians would agree to this separate peace and keep the allies at arm's length. Count von Mirbach promised the Russians that a German force would enter Moscow and Petrograd and drive the Bolsheviks out within 24 hours from the signing of the protocol.

The Russians who received this proposal from the German minister rejected it instantly. Nevertheless, they did not question the intent of the German Government to execute the proposal to the letter if it should be accepted. The proposal was not a mere piece of German duplicity, but was evidently in pursuance of Germany's solid conviction that the Bolsheviks could not retain their hold upon Russian affairs, even with German support. Germany, being unable to overrun Russia with soldiers, must exercise diplomacy while the struggle is on along the western front. Russia is certain to coalesce the scattered elements of political union in some form. Even chaos evolves some limitations and works toward order. The Russian necessities will compel the creation of some kind of government. It can not be Bolshevik government, since the cornerstone of Bolshevism is discrimination which sets neighbors to slitting one another's throats and disputing all authority. Trotsky at this moment is engaged in the task of arming poor peasants so that they may rob the rich peasants. If this is not a sure method of avoiding success in government, none was ever invented.

Since the Germans are practical and foresee the inevitable downfall of Bolshevism in Russia, it is quite reasonable to expect them to cast about for an element in Russia which will organize a government and make separate peace to suit Germany. No doubt this work is going on with great energy. Unless German intrigants and corruptionists are busy at work among Russian political parties and leaders, the brains that engineered the wonderful disintegration of Russia have lost their cunning.

It is to Germany's advantage to have a friendly government in Russia, not mere anarchy. There is no advantage to the enemy in attempting to swallow Russia, at any rate not now. It is costly to support a weak government and dangerous to support a treacherous one. A German-made government in Russia—that is, an iron rule by German military governors, would be costly, ineffective, and perilous, besides interfering with Germany's obvious plans in other parts of the world. Therefore the best plan for Germany to adopt is that which Count von Mirbach attempted to put into effect; a new compact with a strong element, to be set up in place of the Bolsheviks.

If that is Germany's aim in Russia, having in view, of course, the most speedy exploitation of Russian materials for German use, then the task of the allies is made somewhat clearer. Evidently it is not wise for the allies to deal with the Bolsheviks, for they are important now, and would surely be destroyed by Germany if they should last long enough to make a deal with the allies. The allies should lose no time in advising the Russian people that plans are on foot to aid them to recover possession of their own government in every root and branch. The Russians should be warned not to countenance any bargain with the Germans through any political party or agency, under any guise, no matter how plausibly the advantages of separate peace with Germany may be set forth. They should be reminded that offers to revise the treaty of Brest-Litovsk are empty assurances of changes in a scrap of paper. Germany violated the treaty before the ink was dry.

The resurrection of Russia is not the long and heart-breaking task it has been held out to be, if the allies will undertake it promptly and effect it according to well laid and workable plans. It is a struggle of wits more than of guns, although there will be bloodletting. Let the allies always work with and through the Russians, for the Russians, and they will win. The regeneration should begin in Siberia, where the people are unaffected by Bolshevism and are opposed to separate peace. With Siberia strong and organized, the redemption of Great Russia would follow in spite of German intrigue and German guns.

I concur in the views expressed in the editorial as to the manner in which Russia is to be resurrected and regenerated. It has been disintegrated province by province, it can be rehabilitated in like manner, and Siberia is unquestionably one of the beginning points.

The most recent and reliable dispatches state that a substantial movement has already been inaugurated by the Czechoslovaks which, if promptly supported, will save Russia from complete German control. The situation can not be better set forth and described than is done by another editorial in the Washington Post of date July 7, 1918, entitled "The opportunity in Russia," as follows:

#### THE OPPORTUNITY IN RUSSIA.

Providence has shown more than once that it is on the side of the allies, notwithstanding the fact that Germany usually has had the heaviest battalions. Nowhere has fortune favored the allies more strikingly than in the interposition of the Czechoslovaks in Siberia at the psychological moment when the allies are debating the delicate question of sending armed forces to bolster up Russia. While the United States has delayed a decision on this question it has been answered by events. Armed allied forces are actually at work bolstering up Russia. To the small nation of Bohemia belongs the credit of being the first of the allies to extend a helping hand to Russia. This little nation is not yet fully born, although several allies have recognized its independence. The United States has not yet given that encouragement to the Czechoslovak people.

The question now before the allies is, Shall we join with our ally Bohemia in aiding Russia in Siberia, or shall we stand off and see the Bolsheviks arm German and Austrian prisoners, sweep the Czechoslovaks out of Siberia, and turn Russia over to Germany?

If the Czechoslovaks were enemies of the Russian people, the allies could easily decide. Or if Russia were not an ally of the entente, the allies could leave her to her fate. But President Wilson has just said that Russia remains an ally, and everybody knows that it is true. The betrayers of Russia are not Russia, any more than the American pacifists and defeatists are America. Are the Russian people attacking the Czechoslovaks? On the contrary, they welcome them and recognize them as friends. It is only the Germans and their agents, the Bolsheviks, who are disturbed by the presence of the Czechoslovaks in Siberia. The Germans will not stick at anything to eject the Czechoslovaks, for two reasons: First, in order to fasten their grip on Russia; and second, for the sake of discouraging the revolutionary Bohemians in Austria. If the allies permit the Czechoslovaks to be defeated or ejected from Siberia, the Germans and Magyars of Austria will say to the Bohemians, "Look at your false friends, the allies! They are treating you as they treated Belgium and Serbia and Roumania. They have left your forces in the lurch. You will always be betrayed by the French and the British and the Americans. If you join them, you will meet the fate of Serbia." Thus the failure of the allies to help the Czechoslovak forces will react disastrously in Austria as well as in Russia.

The Russian people need only a rallying point around which to meet and recover their battle spirit. They do not want German domination. They hate the Bolsheviks. The Bolsheviks do not have the support of the peasants in Russia, and many of the workmen's organizations have deserted them. The Bolsheviks are now nakedly exposed as German tools. Are the allies to cater to them?

Some officials of the United States Government take the position that they must not "take sides" in Russian affairs, as though the Bolsheviks were equally to be considered with the remainder of the Russians. That is most illogical and dangerous. Since the Bolsheviks are pro-German, the refusal to "take sides" against them is equivalent to taking an impartial position between Germany and Russia. Is that where the United States wishes to be found? No wonder the allied governments are hammering frantically at the gates of Washington, sounding the alarm concerning Russia.

A great opportunity to save Russia has suddenly appeared in the providential appearance of the Czechoslovak forces in Siberia. Those forces merely need allied support to serve as the rock of salvation for the great Slav Republic. Small contingents should be speedily sent forward by each allied power to operate in Siberia under one commander. An interallied civil commission should be created forthwith to go to Siberia and develop and direct the allied policy of aid to Russia. This civil commission should have supreme power and the military authorities should execute its will. No attempt should be made to build up a great allied army for operations against Germany. No army could march at present from Siberia to the western front of Russia, nor could a German army go to Siberia. The sole purpose of the allied forces would be to establish order and enable the Russian people to organize their government independent of Germany or the Bolshevik agents of Germany.

There is not the slightest doubt that with an allied stabilizing force in Siberia the level-headed elements in Russia would rally and organize their communities and rapidly build up their own defensive forces. In due time they would hold a national assembly, organize a Russian government, and throw out the Germans. The recovery of Russian territory from the German thieves is a part of the allied program, in which Russia, as a strong and faithful ally, would cheerfully join.

It is my belief that the ultimate aim and purpose of the Kaiser is to put the Czar back on the Russian throne if it is possible for him to do so, and it is my further belief that he is putting forth and straining every effort in the most subtle manner to accomplish this.

He is influenced in so doing by the bonds of family ties, by the knowledge that a Russian democracy lying alongside of Germany and Austria means the downfall and end of the Hohenzollerns and Hapsburgs; furthermore, he does not underestimate the significance of the fact that the Czar is the head of the established Church of Russia, which wielded the most powerful influence in the former empire. He is fully aware that although the Bolsheviks have desecrated and despoiled the church—a fatal mistake—that it is destined to be reestablished. Again, he with all others knows that Bolshevism, which breeds and engenders chaos, is self-destructive, which when it has served his purpose to accomplish his ends will go down in history as a natural nightmare.

I have never believed that the enforced abdication of the Czar was an advantage to the allies. The Czar's army had fought faithfully and well. His is the only army that has invaded Germany during this war, and it was this invasion, approaching uncomfortably close to Berlin, that caused the withdrawal of a sufficient number of the German forces invading France to make possible the French victory at the battle of the Marne.

The German strategists were fully cognizant of the extreme peril of extending their line of communication too far into the



vast domain of Russia. They were equally well aware of the widespread smoldering fire of revolution, ready to erupt if an opportunity was presented. There never was so fertile a field for intrigue with promises of such satisfactory results.

Utter chaos was the end in view and in this way only could Russia be rendered ineffective and eliminated. The manner in which the poorly equipped Russian army fought clear up to the time of the dethronement of the Czar warrants the belief that he was not a party to the clever and subtle intrigue of Germany, culminating in his abdication, although the ease with which it was accomplished might justify suspicion. I am rather disposed to believe he was betrayed by those whom Germany had succeeded in corrupting, cooperating with and assisted by those revolutionists who believe that it was the opportune time to throw off the galling yoke of oppression, thereby hoping to establish a more liberal government.

Germany foresaw the inability of these incoherent and extremely radical elements to overthrow the established Government and then suddenly organize and maintain a stable Government of their own, which they never will be able to do.

The great masses of the Russian people being unwilling to suffer the ills they were then enduring, flew to others they knew not of. Now they have awakened to find their present condition worse than their first, and for this reason Germany knows the element that must and will ultimately control Russia prefers and will welcome the Czar back on the throne rather than the present conditions.

It therefore behooves the allies not to forget the valuable service rendered by the Czar when and as long as he was in position to do so. There has been no overt act on his part, so far as I have been able to ascertain, that justifies the conclusion of bad faith on his part toward his allies.

It is to be hoped that, in so far as it is possible, no opportunity has been neglected to convey to him the sympathy and the utmost assurance of the desire and anxiety of the nations with which he was allied to extricate him from the extremely deplorable situation in which he is now placed. The initial step is an inter-allied movement extending a helping hand, always working with and through the loyal Russians for Russia.

I am convinced that the loyal and patriotic Russians will flock to any place that promises safety and security for life and property, even though the place be remote and small in the beginning. Once a rallying place can be found or a city of refuge established, it will spread and increase in area and influence with each passing day until Russia, having passed through the valley of the shadow, will again arise a newborn Government, not unlike the British Government or, better still, like our own. [Applause.]

Mr. SIMS. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, the collapse of Russia as a fighting force, the so-called Brest-Litovsk treaty of peace, "a treaty of amity" dictated by the devil at the point of the sword, the confusion resulting from the overthrow of a Government which had sapped the vitality of its people, one political revolution following upon the heels of another, the withdrawal of large bodies of men engaged on the eastern front to add to the slaughtering capacity of German junkerdom, the desire to see an eastern front reestablished, a feeling of anger at a withdrawing co-fighter, mingled with a profound sympathy for the agony of the Russian people, all this confusion of incomplete thoughts and resentments added to the lack of definite information as to what is really transpiring in that land of sorrow makes the problem of aiding Russia the most complex one that has presented itself to thinking men.

That the Czar's government was an abomination very few will deny. It has turned a land literally flowing with milk and honey into a land of blood and tears. It has pitted nationality against nationality, race against race. It has implanted hatred in the hearts of the simplest. It did not really govern. It just weighed down upon the people. The only time the people knew that there was a government at Petrograd was when something or somebody was being taken away from them. It was hazardous for the allies to have such a partner.

It is unfortunate that the upheaval resulting from the overthrow of the Czar took place when the world was engaged in a death grapple with German militarism.

We must be careful not to make this temporary reverse a source of continuous weakness. Revolutions are not Sunday-school picnics. They follow no prescribed code of good manners. A revolution means the upsetting of things. No country seems to be inclined to benefit by the experience of another.

Russia has to live through her revolution in her own way. In addition, the Russian revolution was something more than

a political uprising, something more than a mere desire to change the form of government. People do not fight for abstractions; not for any length of time, anyway. What the great masses of industrious and hard-working peasants were after was an opportunity to earn their bread, and to the peasantry, who constitute the great majority of the Russian people, it meant the right to have access to the land. While in other countries national ownership of land is considered the ideal of the extremely radical, the peculiar Russian institutions of collective ownership of land by the village community has prepared the minds of the people for the doctrine that freedom means access to the land and that any system of government which prevents that is fundamentally wrong.

The question of distribution of land became the center around which all political groups were compelled to form themselves. The advocacy of the collective ownership of land, growing out of Russian conditions struck terror into the hearts of the feudal lords and of the land-owning classes everywhere. No greater danger can be imagined to German junkerism, which is nothing more than feudal landlordism and militarism combined, than the presence to the east of Germany of a prosperous republic, with feudalism abolished, landlordism eliminated, and the principle established that only he is entitled to the possession of the land who works thereon. It is this fear that will explain the peace with Ukraina. Ukraina was the granary of Russia and of Europe. Its black soil was famous throughout the world. The principle of the collective ownership of land was unknown in Ukraina. The Russian revolution threatened to extend the principle of collective ownership to all parts of Russia. Germany hastened to cut off Ukraina from Russia. She used to accomplish her sinister purpose the very principle of self-determination. The Ukrainians are of the same racial and linguistic stock as the Russians and of the same religion. In their schools Russian has been taught for generations. There has never been any serious separatist movement there. They suffered under the Czar, but in common with the rest of the Russian people. The principle of self-determination was used by the Ukrainian landlords to check the spread of the ideals of revolutionary Russia and to intrench themselves and their possessions as landlords with the aid of the kindred spirits of the German junkerdom. To-day Ukraina is under a German dictatorship with half a million German troops engaged in rooting out the revolutionary elements and in crushing the peasantry who have no enmity toward Russia and whose hope is to form part of a federated Russian Republic.

The geographical and historical boundaries of Ukraina are uncertain. This offers an opportunity to Germany to stretch out its destructive arm deep into the very heart of Russia and claim everything as Ukraina.

Let us at this juncture note that the only people who are showing fight and who are keeping a half million Germans away from the western front are the very same Soviet elements whom some would repudiate as outlaws.

The industrial labor movement of Russia is necessarily more radical than that of other countries. From the principle of the democratic control of land it is not far to the principle of democratic control and management of industry, and from the very first day of the revolution a struggle ensued between those who believed that Russia had to pass through the rise and development of modern gigantic industry and between those who thought that Russia was ready to lay the basis for a cooperative industrial democracy. The latter group, together with the peasantry, are to all appearances in control of Russia to-day. That the very attempt to establish such a government should bring down upon them the hatred of all who are discomforted in Russia and the implacable enmity by all elements everywhere similarly situated could have easily been foreseen.

It is this soviet form of government, consisting of men periodically elected by delegates who are in their turn elected by local soviets—councils—of workmen and peasants, that forms the present government of Russia. While there are conflicting reports about various groups here and there disputing the authority of the soviet government, it seems to be certain that it manages to overcome its internal enemy.

It is not so fortunate, however, with its external enemy, Germany. The Brest-Litovsk peace came after a complete economic and military collapse of Russia. More than 20,000,000 of men had been put by the Czar in uniform. Not more than one-fourth could be used at the front. The rest, taken away from industry and agriculture, were but adding to the disorganization of life in Russia. A month before the revolution regiments were marching barefooted in the south of Russia. On the eve of the revolution the army at the front had only a 48-hour supply of food. Petrograd was starving. With the overthrow



of the Czar all discipline disappeared in the army. The soldier knew that the government which had got him into the trenches had been overthrown. He did not see any further reason for fighting. He could not see why the German workers should not overthrow their Government and end the war. If the Czar was to be removed, the soldier could not see why the Czar's war should continue. The word "peace" has a charming effect. It did not take long before the demand for it became general. Every man in Russia capable of looking ahead saw the disaster that would follow a separate peace. The only way to stave off a separate agreement with Germany was to make an effort to obtain a universal settlement of the war.

On numerous occasions the Kerensky government promised a general interallied conference for the purpose of making a statement of the interallied war aims. The attempt of some Russian statesmen to induce the Russian people to continue the fight for the purpose of obtaining Constantinople could not appeal to the men who proclaimed the principle "no annexations, no indemnities." It only served to disclose the fact that secret treaties had been made providing for the alienation of lands from the defeated countries. The Government kept on delaying and the allied governments made a statement of the allied war aims only after the Kerensky government had fallen.

The revolution had been accomplished mainly through the efforts of the socialists. When the socialists demanded an opportunity to meet at an international socialist congress that was again frustrated by the allied governments. Things were going from bad to worse. Confidence in the allies was destroyed. The army was demoralized. In the last agonizing moments in the negotiations with Germany Trotsky and Lenin submitted a program for universal peace, but no one came to their aid. Germany was quick to take advantage of the situation.

Trotsky made an effort not to sign any peace treaty at all, proceeding along the lines followed in the case of a lost strike, but Germany insisted on a piece of paper. Having disregarded one treaty as a scrap of paper, she wanted to base her right of plunder upon another piece of paper. Had Germany been guided by statesmen and not by a militarist band, there was her opportunity. Had she treated Russia with kindness, had she refused to take advantage of her distress, had real friendly relations been restored, the vast resources of that enormous empire would have been at her disposal and she could have defied the allies forever. But her rulers know only the logic of the sword. She began a process of dismembering Russia. What she could not take herself she offered to Turkey.

What inexcusable folly it is for the allies to treat unfortunate Russia and the men who made the disastrous peace as the culprits! Russians are at liberty of accusing each other of having betrayed their country. This must not be done by the allies. Any group, any political organization, that would have concluded such an unfortunate arrangement would invite attack from friend and foe. The people wanted peace. For 11 months they were fed with promises. Their Government thought it would give them a breathing spell. The enemy refused to make it a real peace.

What is to be done now?

We have to aid Russia. She is entitled to the sympathy of the world if for no other reason because she has suffered so intensely. For nearly three years her men were dying in heaps, fighting with bare fists against the most thoroughly prepared military machine. Primarily an agricultural country, without any industries to speak of, she was waging a hopeless contest with one of the best developed industrial nations. Her breakdown was merely a question of time.

No Russian Government, unless it be that of the Czar, can be a friend of Germany. Russia is no friend of Germany to-day. Russia would welcome aid from the allies, and particularly from the United States. Let every form of economic and financial aid be extended to Russia. Let us stop talking military intervention. Let us stop choosing a government for her. If it be true that the men now at the head of the Russian Government are the agents of Germany, then there is no hope either for Russia or for the allies. We can not proceed upon any such theory as that.

No revolutionary government can guarantee stability. Revolutionary periods should be measured by days and weeks and not by decades. Nor is it possible to imagine the establishment of a government which would not meet opposition in some sections of Russia from some elements. How many days or months is a revolutionary government to continue before its existence is to be recognized? The Czar's government was a Russian institution. A government founded on the ruins of Czarism must be accepted as a Russian institution. We play into the hands of Germany by treating Russia as an outlaw. We

are not bound to recognize the Brest-Litovsk peace. It can not be recognized unless the world is ready to have junkerism extended.

We should offer such aid as we can give to the now existing Government of Russia. It is more likely than not that the mere acceptance of industrial and financial help by the Soviet government would provoke further aggressive military action on the part of Germany and would intensify the spirit of resistance of Russia. It took the United States nearly three years to enter the war. We were prospering while Russia was bleeding. We can not afford to treat her as an outcast. Let us regard her rather as a fellow fighter, temporarily disabled.

Fortunately, Russia has a friend in the President of the United States.

Mr. SIMS. 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. WEBB, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 1419) 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, and had come to no resolution thereon.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. PADGETT, indefinitely, on account of important business; and

To Mr. HICKS, indefinitely, on account of an official inspection trip with the Committee on Naval Affairs.

#### NATIONAL GERMAN-AMERICAN ALLIANCE.

Mr. WEBB. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk, to repeal the charter of the German-American Alliance.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (S. 3529) to repeal the act entitled "An act to incorporate the National German-American Alliance," approved February 25, 1907.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act approved February 25, 1907, entitled "An act to incorporate the National German-American Alliance," be, and the same is hereby, repealed.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. CANNON. Why repeal it? I do not recollect the legislation that incorporated the alliance that is referred to. I think it might be well if the gentleman from North Carolina would explain. I do not object, but I would like to know what are the provisions of the act to incorporate the German-American Alliance, if we ever incorporated it.

Mr. WEBB. Yes. They incorporated in 1907. It is a general charter, following very much along the line of other charters granted by Congress, giving them certain corporate rights and a corporate existence. A mass of testimony was taken before the Senate Judiciary Committee, explaining the activities of this alliance, both before we entered the war and since the war, and especially before we entered the war, showing that their activities were more pro-German than pro-American, and that they had carried on a propaganda in the United States which cultivated a segregation of Germans in this country as opposed to the Americanization of people of German blood.

I will say to my friend from Illinois that there must be four or five hundred pages of the testimony taken by the Senate Judiciary Committee, which the committee of the House had access to, and I reported a digest of it in the report filed by the committee when it recommended the disorganization of this German-American Alliance.

I will say further that this alliance has disorganized itself, disbanded, and gone out of business. It has dispensed with its money, and the last portion of its assets was given to some cause—I think probably the Red Cross—amounting to a few thousand dollars. But they themselves have voluntarily abrogated their charter, and this is simply a repealing act revoking the charter.

Mr. CANNON. Then there is "nothing doing" in this association at this time? They have dissolved?

Mr. WEBB. Yes; they have dissolved, as far as they can; but the charter itself has not been repealed.

Mr. CANNON. The law is still there, under which they could reorganize?

Mr. WEBB. Yes; the law is still there under which they could reorganize.

Mr. HAMILTON of Michigan. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes.

Mr. HAMILTON of Michigan. Does the gentleman desire to have it deduced that this alliance is substantially a disloyal alliance?

Mr. WEBB. I think there is much testimony in the hearings tending to show that, but I did not know that the gentleman wanted me to go into that in full. If the testimony is to be believed, this organization certainly has not acted as an American organization ought to act. It has abused the privileges that Congress gave it, and those privileges ought to be withdrawn by the power that gave them.

Mr. CANNON. Then the gentleman is satisfied that while there is nothing doing under this legislation, and the organization has disbanded, it is wise at this time to repeal the act; and if in the distant future some legislation might be indicated, the Congress then in existence might enact it and would enact it if it thought it proper?

Mr. WEBB. Yes; I think it is the belief of the committee and of the Congress that acting under its charter the German-American Alliance has done enough already to deserve to have its charter repealed, and that is what we ought to do.

Mr. QUIN. Ought we not to repeal it as soon as possible and get that dirty snake out of the country? [Applause.]

Mr. WEBB. Of course all that is necessary for us to do is to pass this bill repealing it.

Mr. RANDALL. Does not the gentleman from North Carolina understand that a large amount of the funds collected by the German-American Alliance were devoted to the campaign in opposition to prohibition?

Mr. WEBB. I think there was testimony along that line.

Mr. CANNON. For or against?

Mr. RANDALL. Against prohibition. The gentleman from North Carolina admits that a large portion of the funds collected by the German-American Alliance was devoted to the campaign against prohibition in various parts of the country.

Mr. MOORE of Pennsylvania. Since other national charters of this kind have been granted, and bills have been introduced for other such incorporations, may I ask the gentleman whether he is familiar with the movement to create the German-American Alliance?

Mr. WEBB. I am not.

Mr. MOORE of Pennsylvania. The gentleman was in the House when the bill granting this charter passed, was he not?

Mr. WEBB. I certainly was.

Mr. MOORE of Pennsylvania. Is the gentleman familiar with the fact that at that time a great deal of enthusiasm was manifested in the passage of the bill granting a charter?

Mr. WEBB. I do not recall that; no. The gentleman may. I certainly shared none of it, because I did not know anything about it.

Mr. MOORE of Pennsylvania. There was a very strong movement for the passage of the bill, was there not?

Mr. WEBB. I do not recall that. My friend is probably right.

Mr. MOORE of Pennsylvania. It came up from every section of the country from citizens of German origin.

Mr. WEBB. I do not think it came from my part of the country, because we have not many German-Americans in my country.

Mr. MOORE of Pennsylvania. Of course it would not be patriotic to oppose this repeal, since this organization is now supposed to have been disloyal. In this connection I want to call attention to the fact that other nationalities have been asking for charters of this sort, and that other movements are on foot for national charters, and that efforts are being made, and will be made, to induce the Congress of the United States in other instances to do exactly what it did in this. Sometimes Congress has to unscramble the things that it does.

Mr. WEBB. The Congress reserved the right to repeal this charter, and it now proposes to exercise that right.

Mr. MOORE of Pennsylvania. This may be a lesson to Congress itself in matters of this kind.

Mr. FOCHT. I do not recall whether I was here at the time this German-American Alliance was chartered, although I rather think I was, but I do not remember the legislation. I should like to ask what the request for this legislation was predicated upon? What were set forth as the objects and purposes of the

organization? It may be a latter-day thought that this German-American Alliance or some other alliance is offensive to us; and it is going to be more so, no matter who may apply for anything other than a straight American charter, which is all I will vote for in the future. [Applause.] If I voted for this one, I am sure I did it as others did, under a misapprehension. What could have been the purpose of such an organization when the charter was originally granted?

Mr. WEBB. I do not recall that.

Mr. FOCHT. The gentleman from California [Mr. RANDALL] would have the impression go abroad that it was organized to oppose prohibition.

Mr. WEBB. I did not say that at all.

Mr. FOCHT. Then nobody knows what it was passed for?

Mr. CANNON. Will the gentleman yield further?

Mr. WEBB. Yes.

Mr. CANNON. Of course, in the presence of this great struggle, if there is a well-founded ground that this legislation ought to be repealed, notwithstanding, as the gentleman says, the corporation is dead, I am quite willing to cooperate as one Member of the House, but I want to call the attention of the gentleman to the fact that as the sun comes up and the sun goes down, as the years come and go, as generations are born, live, and die—I want to call his attention to the fact that the statue of Frederick the Great in front of the War College has already been removed, and I think wisely removed, perhaps, but if you go down to Jackson Square there you will find on each corner thereof a statue of Lafayette, Kosciusko, Steuben, and Rochambeau. None of us want to tear down those statues, I take it. I am not speaking in opposition to the proposition, but God knows I do not know, and no Member within the sound of my voice knows, what the conditions may be 50 or 100 years from now. But if the gentleman, after investigation, thinks it is wise to repeal this legislation I shall not object.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. WEBB, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### RECESS.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to make a statement for three or five minutes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to proceed for four minutes. [Laughter.] Is there objection? [After a pause.] The Chair hears none.

Mr. SIMS. Mr. Speaker, it is well known by the membership of the House on both sides that I have most strenuously, openly, and boldly opposed a recess of Congress, either by joint resolution or by agreement, for three days' recess, until the water-power bill has been considered and passed by the House. My reasons were that the House bill is an amendment to the Senate bill and if passed it could go immediately to conference, while the recess either by joint resolution or otherwise was in force, and that the conferees could go ahead and figure out the differences and have a conference report ready when the two Houses reconvened for business after the expiration of the recess.

I have just been informed by the leader of the House that the Senate has agreed to and expects to pass a resolution this afternoon by which there will be no business transacted whatever until the 24th of August, during which time not even conferees could be appointed on the water-power bill, if passed by the House. Personally, I prefer to remain here next week and pass the bill, send it over to the other body, and let the responsibility rest with it for not appointing conferees. But no one man should undertake to enforce his personal views and opinions upon the entire Congress or upon the House of Representatives of 435 Members.

Now upon condition, and only upon such condition, will I consent that there shall be a joint resolution recess or a gentleman's agreement to adjourn every three days until the proposed recess is ended—and that is that the water-power bill shall be made the continuing order and that it shall be considered and disposed of after the recess before the revenue bill is taken up for consideration. The reason that I have opposed all the time having a recess prior to the consideration of this bill was that I believed that after the revenue bill was passed by the House and sent to the Senate and went to the Finance Committee to be considered, that during that time it would be impossible to keep a quorum in the House to pass the water-power bill, and that it would result in the absolute defeat of the bill in the end.

Now, with the privileged status given the bill and the assurance that the bill shall be considered and passed before the



revenue bill is considered by the House, I have no objection to a recess to August 19, which is five days in advance of the expiration of the Senate's agreement to do no business, in which time we can consider and pass the water-power bill and send it to the Senate by the date set for actual business in the Senate.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. WALSH. Can the gentleman inform the House what the President thinks of this suggestion?

Mr. SIMS. I have not said a word to the President about it, and he has not said a word to me, and I can not read his mind, except that I know he is always for what he thinks is the best interest of the country.

Mr. WALSH. I admire the gentleman's temerity in making a proposition of this importance without knowing what the Chief Executive thinks, particularly when the gentleman, in insisting upon the consideration of this water-power bill and its being passed before the recess, gave as a reason for it that the President was strongly of the opinion that the House should stay here and pass that measure. I want to congratulate the gentleman upon his courage.

Mr. SIMS. That would do no good now, provided the Senate adopts the resolution which I understand they are going to adopt.

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

Mr. CANNON. What is the gentleman's request?

The SPEAKER. He has not made any.

Mr. KITCHIN. Mr. Speaker, I may be mistaken in what I am about to suggest, as I was very much mistaken on a former occasion, but I believe that after the passage of the wire-control resolution and the passage through the House of the Agricultural appropriation bill a majority of the House is in favor of entering into a gentleman's agreement for an adjournment every three days until August 19. Of course, we can not enter into an agreement of this kind unless we make an arrangement with the gentleman from Tennessee [Mr. SIMS] in respect to the consideration of the water-power bill and the gentleman from South Carolina [Mr. LEVER] and the gentleman from Iowa [Mr. HAYDEN] in respect to the passage of the Agricultural appropriation bill in the House. It is not exactly proper to ask unanimous consent for an order of this kind, but I want to make an agreement or have an understanding with the House about it. If there be any objection to it, I hope the gentleman who entertains such an objection will make it now, so that we can not enter into the understanding. What I suggest is this, that after the passage of the wire-control bill and after the passage through the House of the Agricultural appropriation bill we begin to take a series of three-day recesses on Monday next, to be continued until August 19. That is, we will meet on Monday, and when we adjourn on that day we will adjourn until Thursday. When we meet on Thursday, we will then adjourn until the next Monday, and so on, until August 19, and that there will be no business, not even by unanimous consent, transacted upon the days upon which the House meets, and that a motion to adjourn will be made immediately after the reading and approval of the Journal.

Mr. HUMPHREYS. What does the gentleman mean by "no business"?

Mr. KITCHIN. I mean none whatever; no unanimous consent granted to extend remarks, or anything of that kind; that this agreement and understanding shall be entered into sincerely, with the intention of its being kept strictly by every Member of the House. When we meet on Monday next we may have to transact some little business, but after we adjourn on Monday, after the transaction of such business as we may have to take care of on that day, we shall adjourn until Thursday and then from Thursday to the next Monday, and so on.

When the House meets on Thursday, after the adjournment on Monday, it will be the understanding that there will be no business transacted; that the only thing to be done would be to call the House to order, for the Chaplain to open by prayer, for the reading and approval of the Journal, and then that a motion to adjourn shall be made and agreed to; and so on until August 19.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. MONDELL. The gentleman is not taking into consideration the District appropriation bill?

Mr. KITCHIN. No.

Mr. GARNER. The Senate is not going to do any business?

Mr. KITCHIN. I have the unanimous-consent agreement here which will be entered into by the Senate this afternoon, in which it is agreed that they will adjourn on Monday for three days, until Thursday, and from Thursday until Monday, and so on until August 24.

Mr. MONDELL. Is there no possibility of disposing of the District appropriation bill.

Mr. KITCHIN. It is with the understanding that no bills or resolutions of any kind shall be passed; nothing done but the routine business. The gentleman from Tennessee [Mr. SIMS], I understand, will object to this unless he can obtain unanimous consent to take up on August 19 the water-power bill and make it the continuing order until disposed of.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. PARKER of New Jersey. I want to ask if the gentleman would not have to do one piece of business, and that is ask unanimous consent for the three-day adjournment?

Mr. KITCHIN. This agreement would include the asking of unanimous consent for the three-day adjournment.

Mr. PARKER of New Jersey. Because you can not have a three-day adjournment without unanimous consent.

Mr. KITCHIN. When we adjourn on Thursday, by unanimous consent it is agreed that the adjournment shall be over until the succeeding Monday, and that on Monday the adjournment shall be until the succeeding Thursday, and so forth.

Mr. CANNON. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. CANNON. The best way is to be perfectly candid with it and fair with each other. Now, I should not object, as a Member of the House, to the proposition that the gentleman makes, but if there is to be coupled with that proposition that the House shall meet five days before that time and agree that the water-power bill shall pass, considered and be passed by the 19th of August—

Mr. LONGWORTH. Disposed of.

Mr. KITCHIN. The gentleman misunderstands me. I undertook to state that we could have no gentleman's agreement unless we got unanimous consent that when we came back on August 19 that the water-power bill would then be made a special order, a continuing order until disposed of.

Mr. CANNON. A continuing order. What does a continuing order mean, that the House can not take up any other business and displace that?

Mr. KITCHIN. That is what a continuing order is.

Mr. CANNON. Then I would not consent to do it; I am not willing thus far in advance—

Mr. KITCHIN. I did not mean until it was passed; I meant until it was disposed of, of course.

Mr. CANNON. Oh, well, what is the disposition of it?

Mr. KITCHIN. Well, put it to a vote and it may be defeated or it may be recommitted.

Mr. CANNON. But it is to have the right of way before any other business is transacted and must be disposed of either by defeating it or otherwise disposed of before you can do any other business.

Mr. KITCHIN. It is just like it is right now.

Mr. CANNON. Not right now because we could raise the question of consideration any day.

Mr. GARNER. Exactly, we could do that on the 19th.

Mr. KITCHIN. No; I do not think you can do that, not after you enter into this unanimous-consent agreement.

Mr. CANNON. I for one will not agree to tie the hands of the House that it must be disposed of before any other bill can be considered or any other business can be done.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. HAMILTON of Michigan. Inasmuch as under the gentleman's suggestion no business whatever will be done before August 19, what advantage has the three-day arrangement over a regular recess adjournment?

Mr. KITCHIN. Because the Senate will not pass a regular recess adjournment. It passed one and the House turned it down. Now, their position is if you want a recess, make a gentleman's agreement. They are going to take care of themselves in making a gentleman's agreement.

Mr. HAMILTON of Michigan. Suppose the House should propose one, should initiate and propose a recess adjournment?

Mr. KITCHIN. That has been put up to them and they said they would not vote for it.

Mr. LONGWORTH. It is a condition, not a theory.

Mr. WALSH. I should like to ask the gentleman from North Carolina if he contemplates, in preferring his request, that the control of the telegraph and telephone bill shall be disposed of by passage through both branches; that is, dispose of the conference report?

Mr. KITCHIN. Yes; I understand the Senate has practically agreed to pass it this afternoon just as it came from the House without amendment. Of course this agreement does not hold good until that becomes a law, until it passes both bodies and is agreed to and sent to the President.

And then the passage of the Agricultural bill through the House is the only condition precedent, and not for the Senate. The Senate will not act on that, I understand.

Mr. WALSH. May I further ask the gentleman a question? The gentleman's request, of course, does not include the condition to make the water-power bill the continuing order?

Mr. KITCHIN. But I understood the gentleman from Tennessee [Mr. SIMS] would object to this gentleman's agreement unless we could satisfy him and his committee.

Mr. WALSH. May I ask the gentleman one further question; whether in his own experience in the House the desire for a recess or adjournment, or any other emergency, has, by unanimous consent, dispensed with the rule giving a revenue bill, a measure having the highest privilege, the right of way over any other legislation?

Mr. KITCHIN. I do not know that I recall any, but I would say to the gentleman it is exceedingly doubtful whether the Ways and Means Committee will be able to report a bill of \$8,000,000,000 by August 20, or the 24th or the 25th. It will be somewhere between August 20 and August 30. This committee has been working and will continue to work every day. It will not have two hours in a day of recess from now until it completes the bill.

Mr. LONGWORTH. Will the gentleman yield?

Mr. KITCHIN. Many other gentlemen on the committee think it will take until September 1 before we can possibly report the bill out.

Mr. LONGWORTH. May I suggest to the gentleman—and I would like the attention of the gentleman from Illinois, because I understood him to raise some objection—that it would be of real value, in my judgment, and I think the chairman will bear me out, in saving time, if the Ways and Means Committee could have the opportunity, without having to come to the House during sessions, to consider and to frame this revenue bill; that we will have very much more time and that we can do better work.

Mr. KITCHIN. We can save two weeks at least.

Mr. LONGWORTH. Yes.

Mr. KITCHIN. To illustrate, I came down this morning to the Capitol at 8 o'clock, and the clerks and myself went to work at 9 o'clock. I have been called out of that room up to the present time by 18 different Members of Congress who wanted to see me about something. And I really have not worked an hour and a half. I have not spent an hour and a half in that room to-day, when I hoped to spend 8 or 10 hours to get the bill ready for Monday, or the sketch of a bill, so that our committee could begin to work on it.

Mr. LONGWORTH. So that the gentleman from Illinois, in giving consent to the arrangement of the gentleman from North Carolina [Mr. KITCHIN], perhaps will really be in the interest of the revenue bill rather than an obstacle?

Mr. KITCHIN. I am sure the gentleman from Tennessee and the members of his committee, although they give this unanimous consent to make up a special order, would, if they saw there was going to be a delay in the revenue bill—

Mr. STERLING of Illinois. I think the gentleman from Tennessee [Mr. SIMS] only desires that the bill on the 19th of August shall have the same status as it has now.

Mr. SIMS. Exactly; only with this difference, that the water-power bill shall be considered and disposed of by the House before the House takes up the revenue bill.

Mr. CANNON. I will never consent to that.

Mr. GARNER. Will the gentleman from North Carolina [Mr. KITCHIN] yield to a suggestion?

Mr. LITTLE. Mr. Speaker, will the gentleman yield for a question?

Mr. KITCHIN. After the gentleman from Texas is through. He has been on his feet asking me to yield.

Mr. GARNER. I want to suggest to the gentleman from Tennessee, since the statement of the gentleman from Illinois that he would not under any condition enter into a unanimous-consent agreement based upon the idea or agreement that the water-power bill was to be taken up and considered and disposed of before the revenue bill was considered—

Mr. CANNON. Before any other business.

Mr. GARNER. Before any other business. With the assurance of the leader of the House and the gentleman from Tennessee that he would have an entire week, so far as his assistance could give it to him, outside of Calendar Wednesday—

Mr. KITCHIN. We will dispose of Calendar Wednesday now.

Mr. GARNER. We can do it by unanimous consent now. But with the entire week in which to consider his bill, commencing on the 19th day of August, why can he not let this unanimous-consent agreement be entered into without the con-

sent that his bill shall be considered and disposed of before the revenue bill? That will give him the entire week to consider his bill, with the assistance of the majority leader, and with his assurance, so far as his influence can go. It does seem to me that the gentleman from Tennessee [Mr. SIMS] ought to make that agreement.

Mr. SIMS. Of course, Mr. Speaker, if there should be any attempt to use this bill to prevent consideration of the revenue bill or any other important legislation, I would withdraw at once any binding consent agreement for its further consideration. But you all know that if the revenue bill is considered first, we will have no quorum here after that bill is passed until the bill is passed by the Senate and is returned to the House. But if the water-power bill is to be acted on first, everybody will remain for the revenue bill, because it is a war measure. If on the 19th of August we take up this bill where we may have left off, and no dilatory tactics are resorted to in order to prevent its passage by the 24th, that it will be passed. My further belief is that the good faith of the committee of which the gentleman from North Carolina himself is the chairman is such that they would not report the revenue bill or ask its consideration, so far as can now be seen, but no one can foresee possible future developments that might demand a change in this program.

Mr. GARNER. Suppose the gentleman from North Carolina assures the gentleman from Tennessee that the Committee on Ways and Means will not ask for right of way for the purpose of considering its bill until the 19th of August, giving the entire week to consider the gentleman's bill. Would he still insist?

Mr. SIMS. It would be so apparent on the face of it that the proposal was so fair, square, and sincere that I would not have the boldness or the hardihood to do a manifest wrong simply in order to be consistent and uselessly persistent. [Applause.]

Mr. PARKER of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. SIMS. I have not the floor; otherwise I would yield.

Mr. GOOD. I observe that this bill that the gentleman is talking about passed the Senate on the 14th day of December last. It then came to the House, and it was reported out of the gentleman's committee only on the 28th day of June, 1918. If the bill has all the importance that the gentleman now attaches to it, why did he not report it out months ago? Take the District of Columbia appropriation bill. It is not passed. That bill carries increases of salary for a thousand of the poorest-paid employees in all this country—the school-teachers—who receive around \$500 or \$600 a year, and they do not get any increase under this continuing resolution. There are a great many other things before the House that are of importance to the House. Here is a bill tied up in committee for six months, and now all at once it becomes so important that the gentleman wants to tie the hands of every Member of the House, or, he says, there will be no understanding or agreement. So far as I am concerned, there will be none unless the bill that the gentleman has takes its place on the calendar with the rest of the business that is before the House. That is what ought to be done.

Mr. SIMS. Let me reply to that. The implication is a charge against the Water Power Committee. If the gentleman knows all the facts, he could not be fair without stating them all, and the gentleman did not state them all. The gentleman knows that the committee was created by a special rule of the House at the request of the President; a committee composed of six members of the Committee on Interstate and Foreign Commerce, six members of the Committee on Public Lands, and six members of the Committee on Agriculture, and the gentleman knows that all three of those committees have had very important legislation to consider besides the water-power bill. The railroad-control bill was taken up immediately by the Committee on Interstate and Foreign Commerce, and it did not become a law until March 21. The chairman of the Committee on Agriculture and the ranking member and the other gentlemen connected with it had very important legislation before the Committee on Agriculture, and the Committee on Public Lands had charge of what is called the oil-leasing bill. Now we had practically to scrap three committees with just as important legislation before them as this bill was in order to consider this bill. I want to say that the Committee on Water Power held continuous sessions, and all the sessions that could possibly be held consistent with the necessary and important separate committee legislation that they had to take care of, and any insinuation to the effect that the Water Power Committee has not done everything it could to report this bill as soon as possible is wholly unwarranted by any facts that the gentleman can cite.

Mr. GOOD. I am not making any charge against the committee. I am only making the charge now that if the bill had



the importance that the gentleman now attaches to it, he would have seen to it that the committee was organized and the bill reported out long ago.

Mr. SIMS. The gentleman attributes to me too much power.

Mr. GOOD. With the aid of the President, I know the gentleman could have called it up months ago.

Mr. KITCHIN. Mr. Speaker, the gentleman from Kansas [Mr. LITTLE] wanted to ask a question. I promised to yield to him.

Mr. LITTLE. The question I was trying to ask was about the same as that which was asked by the gentleman from Illinois [Mr. STERLING]. The gentleman from Tennessee [Mr. SIMS] wanted to be assured that his bill would have all the right of way. The gentleman from Illinois [Mr. CANNON] is willing, as I understand it, to agree that it shall have the same right of way that it has now; and the suggestion was made by the gentleman from Illinois [Mr. STERLING] that the gentleman from Tennessee ought to be willing to let this agreement be entered into without objection if it is agreed that his bill shall be put right where it is now, and this strikes me as right and fair enough.

Mr. KITCHIN. The gentleman from Tennessee [Mr. SIMS] accepted the proposition of the gentleman from Texas [Mr. GARNER] that he shall have the week beginning August 19 for the consideration of the water-power bill; but that it shall not displace the revenue bill or conference reports if, at the end of that week, the revenue bill is ready to report.

Mr. CANNON. I am willing, as one Member, to agree to a recess, and I am perfectly willing that when the House comes together again the water-power bill shall have the same right that it now has, and I will not go a step further.

Mr. TILSON. That it shall be the unfinished business, as it is now? Is not that proper?

Mr. WALSH. No.

Mr. TILSON. It is the unfinished business now.

Mr. WALSH. If you make it the unfinished business you can not displace it with anything else.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. KITCHIN. I yield to the gentleman from New Jersey.

Mr. PARKER of New Jersey. I am a member of the Water Power Committee; but it seems to me that if at any time the great revenue bill comes in nothing whatever should delay that one single day, and I would appeal to the gentleman from Tennessee [Mr. SIMS] to take the chances of the revenue bill coming in when we first meet again, because when it does come in it ought to have the first chance.

Mr. SIMS. Oh, I agree to what the gentleman says.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that on August 19, when we get back here, the water-power bill be given the same status that it now has.

Mr. HARRISON of Mississippi. Reserving the right to object—

Mr. GARNER. It will have that status anyway.

Mr. MONDELL. That is the situation now. No request for unanimous consent is necessary.

Mr. GARNER. No request for unanimous consent is necessary. It has that status now.

Mr. KITCHIN. If it is understood by the House that it is unnecessary to have such unanimous consent, I will withdraw the request.

Mr. SIMS. Upon the assurance that we will have that week, so far as you now know.

Mr. KITCHIN. Yes.

Mr. CANNON. That does not bind the House.

Mr. WALSH. It was brought in here by a special rule, was it not?

Mr. SIMS. No; by unanimous consent, not by a special rule.

Mr. HARRISON of Mississippi. Will the gentleman yield?

Mr. KITCHIN. I yield to the gentleman from Mississippi.

Mr. HARRISON of Mississippi. What assurance has the gentleman from the Senate that they have entered into a unanimous-consent agreement that the wire bill is going to pass to-night?

Mr. KITCHIN. I have no assurance that a unanimous-consent agreement has been entered into, except that the Democratic leader of the Senate told me that they would pass the wire bill to-day, and the request that I make is conditioned upon the passage of the wire bill—that is, upon its becoming a law.

Mr. HARRISON of Mississippi. Suppose they should put an amendment on the wire bill, then what?

Mr. KITCHIN. Then this agreement would amount to nothing, and we would have to enter into another one.

Mr. HARRISON of Mississippi. The gentleman stated that he made this suggestion, and that he wanted anyone who raised any objection to state it now.

Mr. KITCHIN. That is correct.

Mr. HARRISON of Mississippi. I want to say to the gentleman that my position is this: The President came here and said we ought to stay here and pass certain important legislation.

Mr. KITCHIN. Oh, no; but go ahead.

Mr. HARRISON of Mississippi. Well, that is my construction of what he said. Now, I have tried to stay here through the winter, spring, and summer, and I think I have as much at stake as any other Member. I did go away on the 4th of July to attend a Fourth of July celebration. As soon as I got home I read in the papers that a certain gentleman from Mississippi, who is now in Washington, said that "the congressional slacker who would desert his post at this time," and so forth, "deserves the execration of all patriotic men. A soldier in front of the enemy who would perpetrate such a crime would be shot." I want to know if all the Senators indorsed this postponement of the session of the Senate until August 26, and if every one of them agrees to that unanimous-consent agreement?

Mr. KITCHIN. I talked with Senator MARTIN, the Democratic leader of the Senate, and my understanding is that, before the session closes to-day, by unanimous-consent agreement they will begin on Monday three-day adjournments, which will last until August 24, and that no business except the morning routine business will be considered and that no bills or resolutions will be passed in the meantime.

Mr. HARRISON of Mississippi. I understood from the gentleman from Tennessee [Mr. SIMS] that the President of the United States was very insistent upon the passage of this water-power legislation.

Mr. KITCHIN. Senator SIMMONS and I had a conference with the President last night, and although we did not go down to see the President about a recess, the matter of a recess on the part of the Senate, a gentleman's agreement, until August 26 came up, and also the question of an adjournment around August 20. I asked the President the direct question if he would object, or did he have any legislation that it was necessary to pass before August 20, and did he object to an adjournment by both Houses until that time. I asked him if an adjournment until August 20 would have his approval, and he said, "Yes"; that he had no legislation at this time. So I say that the President approves of this agreement.

Mr. SIMS. Mr. Chairman, I want to make a statement in justice to myself. I have not seen the President since the gentleman from North Carolina talked with him, but I have no question that the gentleman from North Carolina states the facts. When it was published in the newspapers some weeks ago that there was an agreement for a recess and that the President did not object I went immediately to see him and told him if that was his view about the matter I was not going to ask that the water-power bill be considered. He told me, in substance, that in a conversation with two Senators and the gentleman from North Carolina [Mr. KITCHIN], he himself brought up the question of considering the water-power bill, and that he was assured by them that a recess would not delay the final passage of the water-power bill—that immediately after the Congress had had its recess and the revenue bill was disposed of the water-power bill would be considered, and he said, therefore, that he interposed no objection. But he said he was very anxious to have it passed, and I reported that statement to the members of the committee.

Mr. HARRISON of Mississippi. Mr. Chairman, can the gentleman tell us what the status of the appropriation bill from the Agricultural Committee, carrying about \$12,000,000, is in the Senate?

Mr. KITCHIN. That has been postponed by agreement until August 26.

Mr. GARNER. That has already been agreed to be postponed until August 26.

Mr. HARRISON of Mississippi. I think until we know exactly what the Senate does I shall have to object.

Mr. KITCHIN. This agreement is to be based upon the fact that the wire bill will be passed, that the Agricultural bill will be passed, and that the Senate is going to enter into this agreement to adjourn three days at a time until August 24. If on Monday the Senate has not carried out that understanding, if something interferes to prevent it, if the wire-control bill is not passed, if the Agricultural bill is not passed, this agreement or understanding between Members is null and void.

Mr. DOOLITTLE. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. DOOLITTLE. Do I understand the situation to be that if the House remained here and passed the water-power bill

by reason of the fact that the Senate has recessed there would be no place to send the bill for conference?

Mr. KITCHIN. That is my understanding.

Mr. MONDELL. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. MONDELL. The gentleman from North Carolina desires to have gentlemen express their views now or forever hold their peace on this matter of recessing. Personally I am so situated by reason of having important office and departmental work to attend to that I can not leave the city in case of a recess. It is necessary for me to remain here. Therefore, as far as I am personally concerned, I should be just as content if the House continued its sessions, and I believe there is legislation—the water-power bill and other bills—that the House might properly and advantageously consider at this time. There is the Unanimous Consent Calendar that ought to be disposed of, or at least ought to be taken up. There is the Private Calendar that ought to have consideration. The oil-leasing bill is in conference and should be given consideration. There are a number of bills of importance which we could properly dispose of or pass upon at this time. But it is known of us all that for the past two weeks or more the majority of Members on each side have believed that the public business would not suffer if they went home for a short time.

If the House should recess three days at a time for some weeks or take a recess for a month, many gentlemen on both sides believe that in the long run we shall be as far along with legislation as if we attempt to remain here and legislate continuously during the hot summer days, considerable of the time, perhaps, without a quorum. The gentleman from North Carolina [Mr. KITCHIN] tried some days ago in good faith to bring about the sort of arrangement which he believed a majority of the Members favored, but he was unable to consummate that arrangement.

Mr. KITCHIN. Yes; I recollect the transaction.

Mr. MONDELL. He now makes another suggestion along the same line. The parties are pretty evenly divided here; but, after all, the responsibility is upon the Democratic side of the House. Personally, as one member of the minority, if the majority of the gentlemen upon that side desire the arrangement suggested by the gentleman from North Carolina [Mr. KITCHIN], I am of the opinion that the minority should not interpose an objection, provided the Agricultural bill and the wire-control legislation are previously disposed of, and provided that we know it shall not be said after the arrangement has been made that we have neglected the public business in the opinion of those high in authority. The gentleman has stated that the President has expressed the opinion that the public business would not suffer if Congress shall remain in recess for a time. If that is true, and that is understood, and these bills I have mentioned are disposed of, it is my opinion that the minority should not object to the arrangement proposed.

Mr. KITCHIN. Mr. Speaker, of course the statement of the gentleman may be very adroit, but I doubt whether it is right or fair for him or for Members upon the Republican side who desire a three-day gentleman's agreement to very shrewdly and keenly try to throw the responsibility all upon the Democratic side. I shall make no such request, and I shall withdraw it if it is not perfectly agreeable to gentlemen upon both sides, with the understanding that every individual Member in the House shall take his responsibility for it. [Applause.] I have no interest, I will say to the gentleman from Wyoming [Mr. MONDELL], any more than he has in the matter. I shall stay here and work, as the gentleman says he will. I think that the legislation is such that we will facilitate the passage of all legislation during this session and expedite it by such a gentleman's agreement as I have proposed. The Senate has taken that view of it. Whatever legislation we might pass would not effect anything, because the Senate is not in session during this time, and so far as the Unanimous-Consent Calendar and the Private Calendar are concerned, we will have a month or two months in which to dispose of all of this other legislation that might come up after we pass the revenue bill, and during which time the Senate is considering it. I think the gentleman ought to say that in saying what he did he was speaking jocularly and did not mean it.

Mr. MONDELL. No. I am sure the gentleman from North Carolina will agree with me that responsibility—

Mr. KITCHIN. I do not think the gentleman ought to say that. This is a matter of making a gentleman's agreement, and it ought not to be monopolized by either side. I think one side is just as gentlemanly as the other, and yet the gentleman from Wyoming wants us to undertake the responsibility and his side to take no part of it.

Mr. MONDELL. On the contrary, each and every one of us who agrees to this—

Mr. KITCHIN. If we are going to have a gentleman's agreement let us all take the responsibility for it upon both sides. If any man objects upon either side with this understanding which I have outlined—

Mr. HARRISON of Mississippi. Mr. Speaker, I have already stated to the gentleman that I understood that he was making a suggestion, and that if he asked unanimous consent at this time I should object. The Senate ought to act first.

Mr. KITCHIN. But this agreement is based upon the action of the Senate and will be absolutely null and void unless the Senate acts as I have outlined.

Mr. HARRISON of Mississippi. I shall object for the present.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. I want to ask the gentleman what the parliamentary situation would be in connection with the gentleman from Mississippi [Mr. HARRISON]? Suppose the gentleman from Mississippi should object and remain here, and we should not enter into this agreement, and that the gentleman from North Carolina should take the responsibility on Monday of moving to adjourn until Thursday, and on Thursday of moving to adjourn until the following Monday, and so on, what would the gentleman from Mississippi accomplish while he is here and while the Senate is gone for six weeks?

Mr. KITCHIN. If the gentleman from Texas will permit, I am not as good a parliamentarian as the gentleman from Mississippi, and I will yield to the gentleman from Mississippi to answer. Of course, we might adjourn every third day.

Mr. HARRISON of Mississippi. Here is the situation as I see it. The Senate has the wire bill. It is not yet passed. The Senate several times has gone back on things they stated they were going to do. It will not affect anything nor anybody for us to stay here and see what the Senate is going to do before we take any action.

Mr. GARNER. If the gentleman will permit, the gentleman from North Carolina has stated to the House repeatedly that this unanimous-consent agreement was requested and would be had upon the specific condition that the wire bill was to become a law—that is, to be signed by each of the presiding officers of the two Houses—and that the House shall pass the Agricultural bill before this agreement becomes effective; that is the condition precedent.

Mr. HARRISON of Mississippi. I have not stated to the gentleman I would object after the Senate acts, but I do object for the present to the proposition. I think we ought to wait until the Senate gets through.

Mr. KITCHIN. If the Senate is not through, then this agreement is null and void. I will say to the gentleman, if the Senate fails to pass the wire bill and if it fails to take action on entering into the unanimous-consent agreement for three-day adjournments until August 24, then the understanding here will be of no effect, and we will meet on Monday and meet regularly.

Mr. HARRISON of Mississippi. I shall object until the Senate takes action.

Mr. GARNER. Will the gentleman from Mississippi object after it takes action?

Mr. HARRISON of Mississippi. It is not now necessary for me to state.

Mr. SIMS. Mr. Speaker, I move that the House do now adjourn; Mr. Speaker, if there is other business I will withdraw that motion.

#### LEAVE OF ABSENCE.

By unanimous consent, Mr. ROBBINS was granted leave of absence Monday next on account of the funeral of Judge Doty, of Westmoreland County, Pa.

Mr. WALSH. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. What has become of the request preferred by the gentleman from North Carolina?

The SPEAKER. He never preferred any.

Mr. WALSH. I beg the Chair's pardon, he stated a unanimous-consent request.

The SPEAKER. He never addressed the Chair and preferred any request, however. This whole talk for the last hour has been out of order.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum—

Mr. WALSH. Mr. Speaker, what does the gentleman from Mississippi object to? The gentleman from North Carolina preferred a request for unanimous consent.



The SPEAKER. If the gentleman objected, he had no reason to object. He notified all concerned he would object.

Mr. WALSH. Mr. Speaker, the gentleman from North Carolina stated that if there was going to be any objection he would withdraw the request—

The SPEAKER. It does not make any difference what the gentleman from North Carolina stated. He never made any request, unless the Chair has gone stone deaf.

Mr. WALSH. The Chair did not hear.

Mr. KITCHIN. I made the suggestion—

Mr. WALSH. Request.

Mr. KITCHIN. Practically a request to the membership of the House to enter into this agreement, but I did say that if any gentleman of the House objected and was not going to carry it out in good faith he ought to object then, and the gentleman from Mississippi objected.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order there is no quorum present.

Mr. KITCHIN. I would like to ask the gentleman from South Carolina if he is ready to proceed with the Agricultural bill?

Mr. LEVER. Mr. Speaker, when I called the Committee on Agriculture to meet and consider this Agricultural appropriation bill this afternoon it was agreed among the committee that I should not call up for consideration that bill unless this agreement about which we have been talking for the last hour should be entered into, so I am not prepared to call up that bill at this time.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum unless a motion to adjourn is made.

#### ENROLLED BILLS SIGNED.

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

H. R. 12002. An act for the establishment of Bar Harbor, in the State of Maine, as a port of entry and delivery for the immediate transportation without appraisement of dutiable merchandise; and

H. R. 8839. An act for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation without appraisement of dutiable merchandise.

#### ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 46 minutes p. m.) the House adjourned until Monday, July 15, 1918, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Atchafalaya River and Bayous Courtableau, Teche, and Vermilion, La., with a view to forming navigable connections between said streams, including consideration of any proposition for cooperation on the part of local interests (H. Doc. No. 1230), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Ways and Means was discharged from the consideration of the bill (S. 110) for the relief of the Eldredge Bros. Live Stock Co., a corporation, and the same was referred to the Committee on Claims.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SANDERS of Louisiana: A bill (H. R. 12721) to extend the time for constructing a bridge across the Mississippi River at or near the city of Baton Rouge, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. WATSON of Pennsylvania: Joint resolution (H. J. Res. 315) proposing an amendment to the Constitution of the United States empowering Congress to regulate wages and professional fees, the hours of labor in industries and occupations, and the price of commodities; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 12715) granting a pension to Mamie Russell; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 12716) granting a pension to George W. Lambert; to the Committee on Pensions.

By Mr. KEATING: A bill (H. R. 12717) granting a pension to John C. McDowell; to the Committee on Pensions.

By Mr. SNOOK: A bill (H. R. 12718) granting an increase of pension to Magdalena Klein; to the Committee on Pensions.

By Mr. WINSLOW: A bill (H. R. 12719) granting a pension to James A. Gaffney; to the Committee on Pensions.

Also, a bill (H. R. 12720) granting a pension to Annie G. Hall; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CAREW: Memorial of the board of directors of the Chamber of Commerce of the United States, relative to appropriation for United States Employment Service; to the Committee on Appropriations.

By Mr. CARY: Petition of the American Federation of Labor, favoring passage of bill to establish a national conservatory of music and art; to the Committee on Education.

By Mr. ELSTON: Petition of citizens of Berkeley, Cal., on behalf of the Armenian people of Russian Caucasus; to the Committee on Foreign Affairs.

Mr. Mr. FARR: Petition of 20,000 Americans of Lithuanian descent, pledging their loyalty to our Government and expressing their hope and wish for independence of Lithuania; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Memorial of the school committee of the city of Providence, R. I., favoring universal military training; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: Memorial of the school committee of Providence, R. I., favoring passage of bill for universal military training; to the Committee on Military Affairs.

By Mr. RAKER: Resolutions of the Business Men's Association of Cloverdale, and of the Ferndale Chamber of Commerce, of Ferndale, Cal., also of the people of Glendale, Oreg., all indorsing the system of military highways on the Pacific coast and urging action by Congress; to the Committee on Military Affairs.

Also, letter of Mrs. Eli Rice, of Fort Bidwell, Cal., and resolution adopted by the union labels trade department of the American Federation of Labor, protesting against the zone system and urging its repeal; to the Committee on Ways and Means.

By Mr. RANDALL: Petition of the First Presbyterian Church of Newhall, Cal., favoring war prohibition; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of Mrs. Calvin Young, of Mapleton, Minn., urging repeal of second-class postage provisions of the revenue law; to the Committee on Ways and Means.

#### SENATE.

Monday, July 15, 1918.

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

Almighty God, as we assemble this morning we hear the news has been flashed over the wires that the supreme moment has come in the conflict between truth and error, autocracy and freedom, and as a Nation bends its knee before Thy throne at this trying moment, when from thousands of churches ring out the bells calling the people to prayer, we unite our hearts with theirs, asking the God of nations, the God of truth and power, to make bare His arm to save. Strengthen our boys who stand against the fierce onslaught of our enemies. Give them safety and Thy protection. Give them victory under Thy divine blessing. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Thursday, July 11, 1918, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President *pro tempore*:

H. R. 10852. An act to provide for the appointment of a commission to standardize screw threads;